Montana Legislative History

Chapter: 364 Session L: 2017
Bill Number: House Bill 639

Checklist of Bill History

History and Final Status Sheet	x
Introduced Bill	X
Fiscal Note	N/A
Third Reading Bill	X
Final Version of Bill	X

House

Committee:
Appropriations

Hearing Date(s):
March 27, 2017
March 27, 2017
(Executive Action)

Senate

Committee: Finance and Claims

Hearing Date(s):
April 5, 2017
April 11, 2017 (Executive Action)

Conference Committee

Hearing Date(s):

April 24, 2017 (Senate)
April 25, 2017 (Senate)

Compiler Notes

Compiled by: sg

Date:

May 14, 2024

:

Bill Draft Number: LC0680
Bill Type - Number: HB 639
Short Title: Revising funding for health care services
Primary Sponsor: Rob Cook (R) HD 18
Chapter Number: 364

Bill Actions - **Current Bill Progress:** Became Law

Bill Action Count: 65

Action - Most Recent First	Date	Votes Yes	Votes No	Committee
Chapter Number Assigned	05/08/2017			
(H) Signed by Governor	05/08/2017			
(H) Transmitted to Governor	05/04/2017			
(S) Signed by President	05/04/2017			
(H) Returned from Enrolling	04/28/2017			
(H) Signed by Speaker	04/28/2017			
(C) Printed - Enrolled Version Available	04/28/2017			
(C) Printed - New Version Available	04/27/2017			
(H) Sent to Enrolling	04/27/2017			
(H) 3rd Reading Free Conference Committee Report Adopted	04/26/2017	61	39	
(H) Scheduled for 3rd Reading	04/26/2017			
(H) Motion to Reconsider Failed	04/26/2017	44	56	
(S) 3rd Reading Free Conference Committee Report Adopted	04/26/2017	34	14	
(S) Scheduled for 3rd Reading	04/26/2017			
(H) Scheduled for 3rd Reading	04/26/2017			
(S) 2nd Reading Free Conference Committee Report Adopted	04/25/2017	32	15	
(S) Motion Carried	04/25/2017	32	15	
(S) Scheduled for 2nd Reading	04/25/2017			
(H) 2nd Reading Free Conference Committee Report Adopted	04/25/2017	72	28	
(H) Scheduled for 2nd Reading	04/25/2017			
(S) Free Conference Committee Report Received	04/25/2017			(S) Free Conference
(H) Free Conference Committee Report Received	04/25/2017			
(S) Hearing	04/25/2017			(S) Free Conference
(S) Hearing	04/24/2017			(S) Free Conference
(S) Free Conference Committee Appointed	04/24/2017			(S) Free Conference
(H) Free Conference Committee Appointed	04/22/2017			(H) Free Conference
(H) 2nd Reading Senate Amendments Not Concurred	04/21/2017	100	0	
(H) Scheduled for 2nd Reading	04/21/2017			

(S) Returned to House with Amendments	04/18/2017			
(S) 3rd Reading Concurred	04/13/2017	50	0	
(S) Scheduled for 3rd Reading	04/13/2017			
(S) 2nd Reading Concurred	04/12/2017	49	0	
(S) Scheduled for 2nd Reading	04/12/2017			
(C) Printed - New Version Available	04/12/2017			
(S) Committee Report--Bill Concurred as Amended	04/12/2017			(S) Finance and Claims
(S) Committee Executive Action--Bill Concurred as Amended	04/12/2017	17	0	(S) Finance and Claims
(S) Hearing	04/05/2017			(S) Finance and Claims
(S) Referred to Committee	04/01/2017			(S) Finance and Claims
(S) First Reading	03/31/2017			
(H) Transmitted to Senate	03/30/2017			
(H) 3rd Reading Passed	03/30/2017	100	0	
(H) Scheduled for 3rd Reading	03/30/2017			
(H) 2nd Reading Passed	03/29/2017	99	1	
(H) Scheduled for 2nd Reading	03/29/2017			
(H) Committee Report--Bill Passed	03/28/2017			(H) Appropriations
(H) Committee Executive Action--Bill Passed	03/27/2017	22	0	(H) Appropriations
(H) Hearing	03/27/2017			(H) Appropriations
(C) Introduced Bill Text Available Electronically	03/22/2017			
(H) First Reading	03/22/2017			
(H) Referred to Committee	03/22/2017			(H) Appropriations
(H) Introduced	03/22/2017			
(C) Draft Delivered to Requester	03/22/2017			
(C) Executive Director Final Review	03/20/2017			
(C) Draft in Assembly	03/20/2017			
(C) Executive Director Review	03/20/2017			
(C) Bill Draft Text Available Electronically	03/18/2017			
(C) Draft in Final Drafter Review	03/18/2017			
(C) Draft in Input/Proofing	03/18/2017			
(C) Draft to Drafter - Edit Review [KWK]	03/18/2017			
(C) Draft in Edit	03/18/2017			
(C) Draft in Legal Review	03/18/2017			
(C) Draft to Requester for Review	03/17/2017			
(C) Draft Taken Off Hold	03/17/2017			
(C) Draft On Hold	11/10/2016			
(C) Draft Request Received	11/08/2016			

Sponsor, etc.

Sponsor, etc.	Last Name/Organization	First Name	Mi
Requester	Ballance	Nancy	
Drafter	Johnson	Julie	
Primary Sponsor	Cook	Rob	

Subjects

Description	Revenue/Approp.	Vote Majority Req.	Subject Code
Appropriation Process		Simple	APRO
Appropriations (see also: State Finance)	Appropriation	Simple	APP
Health Care Services (see also: Health)		Simple	HLTC

Additional Bill Information

Fiscal Note Probable: No
Preintroduction Required: N
Session Law Ch. Number: 364
DEADLINE
Category: Appropriation Bills
Transmittal Date: 03/30/2017
Return (with 2nd house amendments) Date: 04/19/2017

Section Effective Dates

Section(s)	Effective Date	Date Qualified
Sections 4 and 14	08-MAY-17	
Sections 1-3, 5-13, and 15	01-JUL-17	

Section 5. Codification instruction. [Section 3] is intended to be codified as an integral part of Title 76, chapter 3, part 6, and the provisions of Title 76, chapter 3, part 6, apply to [section 3].

Section 6. Effective date. [This act] is effective on passage and approval.

Section 7. Applicability. [This act] applies to phased development applications submitted on or after [the effective date of this act].

Approved May 8, 2017

CHAPTER NO. 364

[HB 639]

AN ACT REVISING FUNDING FOR HEALTH CARE SERVICES; ADJUSTING THE CONVERSION FACTOR FOR PHYSICIAN SERVICES REIMBURSEMENT; IMPLEMENTING PROVISIONS OF THE GENERAL APPROPRIATIONS ACT; PROVIDING MEDICAID CASELOAD RESTRICTIONS; PROVIDING LIMITATIONS ON TRANSFERS OF FUNDING FOR THE MONTANA DEVELOPMENTAL CENTER; ESTABLISHING A TEMPORARY COMMUNITY BENEFIT ASSESSMENT FOR CERTAIN HOSPITALS; PROVIDING FOR A STATUTORY APPROPRIATION; AMENDING SECTIONS 17-7-502 AND 53-6-125, MCA; AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE.

Be it enacted by the Legislature of the State of Montana:

Section 1. Medicaid caseload contingent funding – restrictions. (1) The appropriations to the department of public health and human services in House Bill No. 2, under "Medicaid Caseload Contingency" only occur:

(a) for fiscal year 2018, if nonrestricted general fund expenditures for the department, including accruals, exceed $501,016,552 during the fiscal year; and

(b) for fiscal year 2019, if nonrestricted general fund expenditures for the department, including accruals, exceed $514,663,100 during the fiscal year.

(2) The House Bill No. 2 appropriation amounts provided for in subsections (1)(a) and (1)(b) are based on the amount of nonrestricted general fund appropriations for fiscal years 2018 and 2019. The amounts of $501,016,552 for fiscal year 2018 and $514,663,100 for fiscal year 2019 are superseded by the total of nonrestricted general fund appropriations for each separate fiscal year, as reflected in House Bill No. 2 as passed and approved.

Section 2. Montana developmental center – requirements. The appropriation to the department of public health and human services in House Bill No. 2, under "Montana Developmental Center" is restricted to the following:

(a) expenditures at the Montana developmental center; or

(b) transfers pursuant to subsection (2).

(2) The department may transfer from "Montana Developmental Center" for other necessary services for individuals served or who would have otherwise been served at the Montana Developmental Center.

(3) If the department transfers funding or full-time equivalents from the appropriation under "Montana Developmental Center", the department must notify the legislative finance committee and the legislative fiscal analyst.

(4) Any information that is confidential or personally identifiable provided pursuant to this section may only be communicated to the legislative fiscal analyst, who will not release the information pursuant to 5-12-303.

Section 3. Indian health services federal revenue account. (1) There is an account in the federal special revenue fund established pursuant to 17-2-102 to be known as the Indian health service federal revenue account.

(2) Funds in the account are statutorily appropriated, as provided in 17-7-502, to the department of public health and human services for medicaid benefits for Indian health services or tribal health services.

Section 4. Hospital community benefit assessment. (1) A hospital shall pay to the department of public health and human services a hospital community benefit assessment no later than June 29 of fiscal years 2017, 2018, and 2019. All proceeds from the assessment must be deposited into the general fund.

(2) For purposes of this section, "hospital" means a facility licensed as a hospital pursuant to Title 50, chapter 5, and does not include a critical access hospital, a children's psychiatric hospital, or the Montana state hospital.

(3) The following amounts are imposed as the annual community benefit assessment:

(a) for Advanced Care Hospital in Billings, $122,000;

(b) for Benefis Health System in Great Falls, $696,600;

(c) for Billings Clinic, $835,300;

(d) for Bozeman Health Big Sky Medical Center, $2,900;

(e) for Bozeman Health, $242,000;

(f) for Community Medical Center in Missoula, $278,000;

(g) for Great Falls Clinic Medical Center, $16,790;

(h) for Health Center Northwest, $19,100;

(i) for Kalispell Regional Medical Center, $420,180;

(j) for Northern Montana Hospital in Havre, $51,400;

(k) for St. James Healthcare in Butte, $139,900;

(l) for Providence St. Patrick Hospital in Missoula, $534,200;

(m) for St. Peter's Hospital in Helena, $345,225; and

(n) for St. Vincent Healthcare in Billings, $647,180.

Section 5. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations — definition — requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-433; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-215; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-517; 20-9-520; 20-9-534; 20-9-622; 20-9-905; 20-26-617; 20-26-1503; 22-1-327; 22-3-116; 22-3-117; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-50-209; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-213; 44-13-102; 50-1-115; 53-1-109; *[section .3];* 53-6-1304; 53-9-113;

53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; [85-25-102]; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to sec. 5, Ch. 244, L. 2013, the inclusion of 22-1-327 terminates July 1, 2017; pursuant to sec. 27, Ch. 285, L. 2015, and sec. 1, Ch. 292, L. 2015, the inclusion of 53-9-113 terminates June 30, 2021; pursuant to sec. 6, Ch. 291, L. 2015, the inclusion of 50-1-115 terminates June 30, 2021; pursuant to sec. 28, Ch. 368, L. 2015, the inclusion of 53-6-1304 terminates June 30, 2019; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of 85-25-102 is effective on occurrence of contingency; pursuant to sec. 5, Ch. 422, L. 2015, the inclusion of 17-7-215 terminates June 30, 2021; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116 and 22-3-117 terminates June 30, 2025; pursuant to sec. 10, Ch. 427, L. 2015, the inclusion of 37-50-209 terminates September 30, 2019; and pursuant to sec. 33, Ch. 457, L. 2015, the inclusion of 20-9-905 terminates December 31, 2023.)"

Section 6. Section 53-6-125, MCA, is amended to read:

"53-6-125. Physician services reimbursement. (1) The fee for a covered service provided by a physician under the medicaid program is determined by multiplying the conversion factor times the relative value unit for that service times any applicable policy adjusters.

(2) *(a)* ~~(a) For state fiscal years 2011 through 2013, the conversion factor is $40.09. The conversion factor may be adjusted by the department in order to maintain reimbursement, at a minimum, at the fiscal year 2010 reimbursement rate.~~

~~(b) For state fiscal year 2014 and for each subsequent state fiscal year, the~~ *For fiscal years 2018 and 2019, the* conversion factor must be increased, *at a minimum,* ~~at a minimum, by the same percentage increase as the consumer price index for medical care for the previous year, as calculated by the bureau of labor statistics of the United States department of labor~~ *by the same numerical inflation factor calculated in accordance with 20-9-326.*

(b) For each subsequent fiscal year, the conversion factor must be increased, at a minimum, by the same percentage increase as the consumer price index for medical care for the previous year, as calculated by the bureau of labor statistics of the United States department of labor."

Section 7. Codification instruction. [Section 3] is intended to be codified as an integral part of Title 53, chapter 6, and the provisions of Title 53, chapter 6, apply to [section 3].

Section 8. Coordination instruction. If House Bill No. 2 and [this act] are both passed and approved and [this act] contains a statutory appropriation for Indian health services and tribal health services funding, the appropriation for the health resources division in House Bill No. 2 is decreased by $82,373,231 in federal funds in fiscal year 2018 and by $94,556,232 in federal funds in fiscal year 2019.

Section 9. Coordination instruction. If both [this act] and House Bill No. 2 are passed and approved, then the following line item is inserted in Section B of House Bill No. 2 under "Director's Office":

"b. Tracking Operational and Performance Program Measures (OTO/ Biennial)

$100,000 [General Fund FY 2018] $100,000 [Federal Special Revenue FY 2018]

$100,000 [General Fund FY 2019] $100,000 [Federal Special Revenue FY 2019]."

Section 10. Coordination instruction. If both [this act] and House Bill No. 2 are passed and approved, then the following language must be inserted in Section B of House Bill No. 2 under "Department of Public Health and Human Services":

"Tracking Operational and Performance Program Measures must be utilized for the analysis and creation of a metrics-based blueprint for select department of public health and human service programs, with a primary focus on the child and family services division and a specified initiative identified as having a high impact on the health of Montanans, and for the department to track operational and program performance measures related to the following:

(1) improved health of women and children, including:

(a) proportion of women smoking during pregnancy;

(b) proportion of pregnant women who report entering prenatal care in the first trimester;

(c) proportion of pregnant women receiving medicaid services who report entering prenatal care in the first trimester;

(d) proportion of high school students using tobacco products or nicotine products in the past 30 days;

(2) improved health of medicaid members, including the proportion of medicaid members receiving preventative services;

(3) operational efficiencies, including:

(a) proportion of payments issued electronically; and

(b) proportion of help desk tickets to technologically support the workforce; and

(4) the efficacy of the protect Montana kids commission proposals that were enacted by the 65th legislature."

Section 11. Coordination instruction. If both [this act] and House Bill No. 2 are passed and approved, then the general fund appropriation to the department of public health and human services under "Human and Community Services Division" in Section B of House Bill No. 2 must be increased from $33,087,934 to $36,087,934 in the fiscal year beginning July

1, 2017, and increased from $33,049,762 to $36,049,762 in the fiscal year beginning July 1, 2018.

Section 12. Coordination instruction. If both [this act] and House Bill No. 2 are passed and approved, then the following language must be inserted in Section B of House Bill No. 2 under "Human and Community Services Division":

"The increased appropriations provided in [section 11 of House Bill No. 639] to the Stars to Quality Program are one time only and are not to be included in the base in the 2021 budget planning process. The increased appropriations are to expand the program and increase access to preschool for 4- and 5-year-old children. The department shall use the money to create and support pilot programs to test multiple delivery models, including public programs, private programs, and mixed delivery programs through public-private partnerships. The department may use funds to support preschool programs, including startup and training costs. In establishing the pilot programs, the department shall ensure that pilot programs are included in programs in rural and urban areas. The department shall file a report with the 2019 legislature and present the report to the education and local government committee, the legislative finance committee, and the children, families, health, and human services committee by September 1, 2018. The report must:

(1) address the demand for programs and the impact on current providers, with a specific focus on rural communities;

(2) evaluate the benefits and disadvantages of various delivery models;

(3) analyze advancements in kindergarten readiness for children participating in the programs; and

(4) make recommendations for the program."

Section 13. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 14. Effective dates. (1) Except as provided in subsection (2), [this act] is effective July 1, 2017.

(2) [Section 4] and this section are effective on passage and approval.

Section 15. Termination. [Section 4] terminates June 30, 2019.

Approved May 8, 2017

CHAPTER NO. 365

[SB 163]

AN ACT REVISING QUALIFICATIONS FOR ELECTION JUDGES; PROVIDING THAT ELECTION JUDGES MUST BE CHOSEN FROM LISTS OF QUALIFIED ELECTORS IN A COUNTY; REVISING PROVISIONS RELATED TO CANDIDATES OR RELATIVES SERVING AS ELECTION JUDGES; AND AMENDING SECTIONS 13-4-102, 13-4-103, 13-4-107, AND 13-13-226, MCA.

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 13-4-102, MCA, is amended to read:

"13-4-102. Manner of choosing election judges. (1) Subject to 13-4-107, election judges must be chosen from lists of qualified registered electors ~~for each precinct~~ in the county, submitted at least 45 days before the primary election in even-numbered years by the county central committees of the political parties eligible to nominate candidates in the primary.

HOUSE BILL NO. 639

INTRODUCED BY R. COOK

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING FUNDING FOR HEALTH CARE SERVICES; ADJUSTING THE CONVERSION FACTOR FOR PHYSICIAN SERVICES REIMBURSEMENT; IMPLEMENTING PROVISIONS OF THE GENERAL APPROPRIATIONS ACT; AMENDING SECTION 53-6-125, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-6-125, MCA, is amended to read:

"53-6-125. Physician services reimbursement. (1) The fee for a covered service provided by a physician under the medicaid program is determined by multiplying the conversion factor times the relative value unit for that service times any applicable policy adjusters.

(2) ~~(a) For state fiscal years 2011 through 2013, the conversion factor is $40.09. The conversion factor may be adjusted by the department in order to maintain reimbursement, at a minimum, at the fiscal year 2010 reimbursement rate.~~

~~(b) For state fiscal year 2014 and for each subsequent state fiscal year, the~~ The conversion factor must be increased~~, at a minimum, by the same percentage increase as the consumer price index for medical care for the previous year, as calculated by the bureau of labor statistics of the United States department of labor~~ by the same numerical inflation factor calculated in accordance with 20-9-326."

NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2017.

- END -

HOUSE BILL NO. 639

INTRODUCED BY R. COOK

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING FUNDING FOR HEALTH CARE SERVICES; ADJUSTING THE CONVERSION FACTOR FOR PHYSICIAN SERVICES REIMBURSEMENT; IMPLEMENTING PROVISIONS OF THE GENERAL APPROPRIATIONS ACT; PROVIDING MEDICAID CASELOAD RESTRICTIONS; PROVIDING LIMITATIONS ON TRANSFERS OF FUNDING FOR THE MONTANA DEVELOPMENTAL CENTER; PROVIDING FOR A STATUTORY APPROPRIATION; AMENDING ~~SECTION~~ SECTIONS 17-7-502 AND 53-6-125, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **SECTION 1. MEDICAID CASELOAD CONTINGENT FUNDING -- RESTRICTIONS.** (1) THE APPROPRIATIONS TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES IN HOUSE BILL NO. 2, UNDER "MEDICAID CASELOAD CONTINGENCY" ONLY OCCUR:

(A) FOR FISCAL YEAR 2018, IF NONRESTRICTED GENERAL FUND EXPENDITURES FOR THE DEPARTMENT, INCLUDING ACCRUALS, EXCEED $501,016,552 DURING THE FISCAL YEAR; AND

(B) FOR FISCAL YEAR 2019, IF NONRESTRICTED GENERAL FUND EXPENDITURES FOR THE DEPARTMENT, INCLUDING ACCRUALS, EXCEED $514,663,100 DURING THE FISCAL YEAR.

(2) THE HOUSE BILL NO. 2 APPROPRIATION AMOUNTS PROVIDED FOR IN SUBSECTIONS (1)(A) AND (1)(B) ARE BASED ON THE AMOUNT OF NONRESTRICTED GENERAL FUND APPROPRIATIONS FOR FISCAL YEARS 2018 AND 2019. THE AMOUNTS OF $501,016,552 FOR FISCAL YEAR 2018 AND $514,663,100 FOR FISCAL YEAR 2019 ARE SUPERSEDED BY THE TOTAL OF NONRESTRICTED GENERAL FUND APPROPRIATIONS FOR EACH SEPARATE FISCAL YEAR, AS REFLECTED IN HOUSE BILL NO. 2 AS PASSED AND APPROVED.

NEW SECTION. **SECTION 2. MONTANA DEVELOPMENTAL CENTER -- REQUIREMENTS.** THE APPROPRIATION TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES IN HOUSE BILL NO. 2, UNDER "MONTANA DEVELOPMENTAL CENTER" IS RESTRICTED TO THE FOLLOWING:

(A) EXPENDITURES AT THE MONTANA DEVELOPMENTAL CENTER; OR

(B) TRANSFERS PURSUANT TO SUBSECTION (2).

(2) THE DEPARTMENT MAY TRANSFER FROM "MONTANA DEVELOPMENTAL CENTER" FOR OTHER NECESSARY SERVICES FOR INDIVIDUALS SERVED OR WHO WOULD HAVE OTHERWISE BEEN SERVED AT THE MONTANA DEVELOPMENTAL CENTER.

(3) IF THE DEPARTMENT TRANSFERS FUNDING OR FULL-TIME EQUIVALENTS FROM THE APPROPRIATION UNDER "MONTANA DEVELOPMENTAL CENTER", THE DEPARTMENT MUST NOTIFY THE LEGISLATIVE FINANCE COMMITTEE AND THE LEGISLATIVE FISCAL ANALYST.

(4) ANY INFORMATION THAT IS CONFIDENTIAL OR PERSONALLY IDENTIFIABLE PROVIDED PURSUANT TO THIS SECTION MAY ONLY BE COMMUNICATED TO THE LEGISLATIVE FISCAL ANALYST, WHO WILL NOT RELEASE THE INFORMATION PURSUANT TO 5-12-303.

NEW SECTION. **SECTION 3. INDIAN HEALTH SERVICES FEDERAL REVENUE ACCOUNT.** (1) THERE IS AN ACCOUNT IN THE FEDERAL SPECIAL REVENUE FUND ESTABLISHED PURSUANT TO 17-2-102 TO BE KNOWN AS THE INDIAN HEALTH SERVICE FEDERAL REVENUE ACCOUNT.

(2) FUNDS IN THE ACCOUNT ARE STATUTORILY APPROPRIATED, AS PROVIDED IN 17-7-502, TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES FOR MEDICAID BENEFITS FOR INDIAN HEALTH SERVICES OR TRIBAL HEALTH SERVICES.

SECTION 4. SECTION 17-7-502, MCA, IS AMENDED TO READ:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-433; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-215;

18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-517; 20-9-520; 20-9-534; 20-9-622; 20-9-905; 20-26-617; 20-26-1503; 22-1-327; 22-3-116; 22-3-117; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-50-209; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-213; 44-13-102; 50-1-115; 53-1-109; [section 3]; 53-6-1304; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; [85-25-102]; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to sec. 5, Ch. 244, L. 2013, the inclusion of 22-1-327 terminates July 1, 2017; pursuant to sec. 27, Ch. 285, L. 2015, and sec. 1, Ch. 292, L. 2015, the inclusion of 53-9-113 terminates June 30, 2021; pursuant to sec. 6, Ch. 291, L. 2015, the inclusion of 50-1-115 terminates June 30, 2021; pursuant to sec. 28, Ch. 368, L. 2015, the inclusion of 53-6-1304 terminates June 30, 2019; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of 85-25-102 is effective on occurrence of contingency; pursuant to sec. 5, Ch. 422, L. 2015, the inclusion of 17-7-215 terminates June 30, 2021; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116 and 22-3-117 terminates June 30, 2025; pursuant to sec. 10, Ch. 427, L. 2015, the inclusion of 37-50-209 terminates

September 30, 2019; and pursuant to sec. 33, Ch. 457, L. 2015, the inclusion of 20-9-905 terminates December 31, 2023.)"

Section 5. Section 53-6-125, MCA, is amended to read:

"53-6-125. Physician services reimbursement. (1) The fee for a covered service provided by a physician under the medicaid program is determined by multiplying the conversion factor times the relative value unit for that service times any applicable policy adjusters.

(2) (A) ~~(a) For state fiscal years 2011 through 2013, the conversion factor is $40.09. The conversion factor may be adjusted by the department in order to maintain reimbursement, at a minimum, at the fiscal year 2010 reimbursement rate.~~

~~(b) For state fiscal year 2014 and for each subsequent state fiscal year, the~~ The FOR FISCAL YEARS 2018 AND 2019, THE conversion factor must be increased, AT A MINIMUM,~~, at a minimum, by the same percentage increase as the consumer price index for medical care for the previous year, as calculated by the bureau of labor statistics of the United States department of labor~~ by the same numerical inflation factor calculated in accordance with 20-9-326.

(B) FOR EACH SUBSEQUENT FISCAL YEAR, THE CONVERSION FACTOR MUST BE INCREASED, AT A MINIMUM, BY THE SAME PERCENTAGE INCREASE AS THE CONSUMER PRICE INDEX FOR MEDICAL CARE FOR THE PREVIOUS YEAR, AS CALCULATED BY THE BUREAU OF LABOR STATISTICS OF THE UNITED STATES DEPARTMENT OF LABOR."

NEW SECTION. **SECTION 6. CODIFICATION INSTRUCTION.** [SECTION 3] IS INTENDED TO BE CODIFIED AS AN INTEGRAL PART OF TITLE 53, CHAPTER 6, AND THE PROVISIONS OF TITLE 53, CHAPTER 6, APPLY TO [SECTION 3].

COORDINATION SECTION. **SECTION 7. COORDINATION INSTRUCTION.** IF HOUSE BILL NO. 2 AND [THIS ACT] ARE BOTH PASSED AND APPROVED AND [THIS ACT] CONTAINS A STATUTORY APPROPRIATION FOR INDIAN HEALTH SERVICES AND TRIBAL HEALTH SERVICES FUNDING, THE APPROPRIATION FOR THE HEALTH RESOURCES DIVISION IN HOUSE BILL NO. 2 IS DECREASED BY $82,373,231 IN FEDERAL FUNDS IN FISCAL YEAR 2018 AND BY $94,556,232 IN FEDERAL FUNDS IN FISCAL YEAR 2019.

NEW SECTION. **Section 8. Effective date.** [This act] is effective July 1, 2017.

- END -

HOUSE BILL NO. 639

INTRODUCED BY R. COOK

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING FUNDING FOR HEALTH CARE SERVICES; ADJUSTING THE CONVERSION FACTOR FOR PHYSICIAN SERVICES REIMBURSEMENT; IMPLEMENTING PROVISIONS OF THE GENERAL APPROPRIATIONS ACT; PROVIDING MEDICAID CASELOAD RESTRICTIONS; PROVIDING LIMITATIONS ON TRANSFERS OF FUNDING FOR THE MONTANA DEVELOPMENTAL CENTER; ESTABLISHING A TEMPORARY COMMUNITY BENEFIT ASSESSMENT FOR CERTAIN HOSPITALS; PROVIDING FOR A STATUTORY APPROPRIATION; AMENDING ~~SECTION~~ SECTIONS 17-7-502 AND 53-6-125, MCA; AND PROVIDING ~~AN~~ EFFECTIVE ~~DATE~~ DATES AND A TERMINATION DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **SECTION 1. MEDICAID CASELOAD CONTINGENT FUNDING -- RESTRICTIONS.** (1) THE APPROPRIATIONS TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES IN HOUSE BILL NO. 2, UNDER "MEDICAID CASELOAD CONTINGENCY" ONLY OCCUR:

(A) FOR FISCAL YEAR 2018, IF NONRESTRICTED GENERAL FUND EXPENDITURES FOR THE DEPARTMENT, INCLUDING ACCRUALS, EXCEED $501,016,552 DURING THE FISCAL YEAR; AND

(B) FOR FISCAL YEAR 2019, IF NONRESTRICTED GENERAL FUND EXPENDITURES FOR THE DEPARTMENT, INCLUDING ACCRUALS, EXCEED $514,663,100 DURING THE FISCAL YEAR.

(2) THE HOUSE BILL NO. 2 APPROPRIATION AMOUNTS PROVIDED FOR IN SUBSECTIONS (1)(A) AND (1)(B) ARE BASED ON THE AMOUNT OF NONRESTRICTED GENERAL FUND APPROPRIATIONS FOR FISCAL YEARS 2018 AND 2019. THE AMOUNTS OF $501,016,552 FOR FISCAL YEAR 2018 AND $514,663,100 FOR FISCAL YEAR 2019 ARE SUPERSEDED BY THE TOTAL OF NONRESTRICTED GENERAL FUND APPROPRIATIONS FOR EACH SEPARATE FISCAL YEAR, AS REFLECTED IN HOUSE BILL NO. 2 AS PASSED AND APPROVED.

NEW SECTION. **SECTION 2. MONTANA DEVELOPMENTAL CENTER -- REQUIREMENTS.** THE APPROPRIATION TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES IN HOUSE BILL NO. 2, UNDER "MONTANA DEVELOPMENTAL CENTER" IS RESTRICTED TO THE FOLLOWING:

(A) EXPENDITURES AT THE MONTANA DEVELOPMENTAL CENTER; OR

(b) transfers pursuant to subsection (2).

(2) The department may transfer from "Montana Developmental Center" for other necessary services for individuals served or who would have otherwise been served at the Montana Developmental Center.

(3) If the department transfers funding or full-time equivalents from the appropriation under "Montana Developmental Center", the department must notify the legislative finance committee and the legislative fiscal analyst.

(4) Any information that is confidential or personally identifiable provided pursuant to this section may only be communicated to the legislative fiscal analyst, who will not release the information pursuant to 5-12-303.

NEW SECTION. **Section 3. Indian health services federal revenue account.** (1) There is an account in the federal special revenue fund established pursuant to 17-2-102 to be known as the Indian health service federal revenue account.

(2) Funds in the account are statutorily appropriated, as provided in 17-7-502, to the department of public health and human services for medicaid benefits for Indian health services or tribal health services.

NEW SECTION. **Section 4. Hospital community benefit assessment.** (1) A hospital shall pay to the department of public health and human services a hospital community benefit assessment no later than June 29 of fiscal years 2017, 2018, and 2019. All proceeds from the assessment must be deposited into the general fund.

(2) For purposes of this section, "hospital" means a facility licensed as a hospital pursuant to Title 50, chapter 5, and does not include a critical access hospital, a children's psychiatric hospital, or the Montana state hospital.

(3) The following amounts are imposed as the annual community benefit assessment:

(a) for Advanced Care Hospital in Billings, $122,000;

(b) for Benefis Health System in Great Falls, $696,600;

(c) for Billings Clinic, $835,300;

(d) for Bozeman Health Big Sky Medical Center, $2,900;

(E) FOR BOZEMAN HEALTH, $242,000;

(F) FOR COMMUNITY MEDICAL CENTER IN MISSOULA, $278,000;

(G) FOR GREAT FALLS CLINIC MEDICAL CENTER, $16,790;

(H) FOR HEALTH CENTER NORTHWEST, $19,100;

(I) FOR KALISPELL REGIONAL MEDICAL CENTER, $420,180;

(J) FOR NORTHERN MONTANA HOSPITAL IN HAVRE, $51,400;

(K) FOR ST. JAMES HEALTHCARE IN BUTTE, $139,900;

(L) FOR PROVIDENCE ST. PATRICK HOSPITAL IN MISSOULA, $534,200;

(M) FOR ST. PETER'S HOSPITAL IN HELENA, $345,225; AND

(N) FOR ST. VINCENT HEALTHCARE IN BILLINGS, $647,180.

SECTION 5. SECTION 17-7-502, MCA, IS AMENDED TO READ:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-433; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-215; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-517; 20-9-520; 20-9-534; 20-9-622; 20-9-905; 20-26-617; 20-26-1503; 22-1-327; 22-3-116; 22-3-117; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-50-209; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-213; 44-13-102; 50-1-115; 53-1-109; [section 3]; 53-6-1304; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362; 80-2-222;

80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; [85-25-102]; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to sec. 5, Ch. 244, L. 2013, the inclusion of 22-1-327 terminates July 1, 2017; pursuant to sec. 27, Ch. 285, L. 2015, and sec. 1, Ch. 292, L. 2015, the inclusion of 53-9-113 terminates June 30, 2021; pursuant to sec. 6, Ch. 291, L. 2015, the inclusion of 50-1-115 terminates June 30, 2021; pursuant to sec. 28, Ch. 368, L. 2015, the inclusion of 53-6-1304 terminates June 30, 2019; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of 85-25-102 is effective on occurrence of contingency; pursuant to sec. 5, Ch. 422, L. 2015, the inclusion of 17-7-215 terminates June 30, 2021; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116 and 22-3-117 terminates June 30, 2025; pursuant to sec. 10, Ch. 427, L. 2015, the inclusion of 37-50-209 terminates September 30, 2019; and pursuant to sec. 33, Ch. 457, L. 2015, the inclusion of 20-9-905 terminates December 31, 2023.)"

Section 6. Section 53-6-125, MCA, is amended to read:

"53-6-125. Physician services reimbursement. (1) The fee for a covered service provided by a physician under the medicaid program is determined by multiplying the conversion factor times the relative value

unit for that service times any applicable policy adjusters.

(2) (A) ~~(a) For state fiscal years 2011 through 2013, the conversion factor is $40.09. The conversion factor may be adjusted by the department in order to maintain reimbursement, at a minimum, at the fiscal year 2010 reimbursement rate.~~

~~(b) For state fiscal year 2014 and for each subsequent state fiscal year, the~~ The FOR FISCAL YEARS 2018 AND 2019, THE conversion factor must be increased, AT A MINIMUM,~~, at a minimum, by the same percentage increase as the consumer price index for medical care for the previous year, as calculated by the bureau of labor statistics of the United States department of labor~~ by the same numerical inflation factor calculated in accordance with 20-9-326.

(B) FOR EACH SUBSEQUENT FISCAL YEAR, THE CONVERSION FACTOR MUST BE INCREASED, AT A MINIMUM, BY THE SAME PERCENTAGE INCREASE AS THE CONSUMER PRICE INDEX FOR MEDICAL CARE FOR THE PREVIOUS YEAR, AS CALCULATED BY THE BUREAU OF LABOR STATISTICS OF THE UNITED STATES DEPARTMENT OF LABOR."

NEW SECTION. **SECTION 7. CODIFICATION INSTRUCTION.** [SECTION 3] IS INTENDED TO BE CODIFIED AS AN INTEGRAL PART OF TITLE 53, CHAPTER 6, AND THE PROVISIONS OF TITLE 53, CHAPTER 6, APPLY TO [SECTION 3].

COORDINATION SECTION. **SECTION 8. COORDINATION INSTRUCTION.** IF HOUSE BILL NO. 2 AND [THIS ACT] ARE BOTH PASSED AND APPROVED AND [THIS ACT] CONTAINS A STATUTORY APPROPRIATION FOR INDIAN HEALTH SERVICES AND TRIBAL HEALTH SERVICES FUNDING, THE APPROPRIATION FOR THE HEALTH RESOURCES DIVISION IN HOUSE BILL NO. 2 IS DECREASED BY $82,373,231 IN FEDERAL FUNDS IN FISCAL YEAR 2018 AND BY $94,556,232 IN FEDERAL FUNDS IN FISCAL YEAR 2019.

COORDINATION SECTION. **SECTION 9. COORDINATION INSTRUCTION.** IF BOTH [THIS ACT] AND HOUSE BILL NO. 2 ARE PASSED AND APPROVED, THEN THE FOLLOWING LINE ITEM IS INSERTED IN SECTION B OF HOUSE BILL NO. 2 UNDER "DIRECTOR'S OFFICE":

"b. Tracking Operational and Performance Program Measures (OTO/Biennial)
$100,000 [General Fund FY 2018] $100,000 [Federal Special Revenue FY 2018]
$100,000 [General Fund FY 2019] $100,000 [Federal Special Revenue FY 2019]."

COORDINATION SECTION. **SECTION 10. COORDINATION INSTRUCTION.** IF BOTH [THIS ACT] AND HOUSE BILL

NO. 2 ARE PASSED AND APPROVED, THEN THE FOLLOWING LANGUAGE MUST BE INSERTED IN SECTION B OF HOUSE BILL NO. 2 UNDER "DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES":

"Tracking Operational and Performance Program Measures must be utilized for the analysis and creation of a metrics-based blueprint for select department of public health and human service programs, with a primary focus on the child and family services division and a specified initiative identified as having a high impact on the health of Montanans, and for the department to track operational and program performance measures related to the following:

(1) improved health of women and children, including:

(a) proportion of women smoking during pregnancy;

(b) proportion of pregnant women who report entering prenatal care in the first trimester;

(c) proportion of pregnant women receiving medicaid services who report entering prenatal care in the first trimester;

(d) proportion of high school students using tobacco products or nicotine products in the past 30 days;

(2) improved health of medicaid members, including the proportion of medicaid members receiving preventative services;

(3) operational efficiencies, including:

(a) proportion of payments issued electronically; and

(b) proportion of help desk tickets to technologically support the workforce; and

(4) the efficacy of the protect Montana kids commission proposals that were enacted by the 65th legislature."

COORDINATION SECTION. **SECTION 11. COORDINATION INSTRUCTION.** IF BOTH [THIS ACT] AND HOUSE BILL NO. 2 ARE PASSED AND APPROVED, THEN THE GENERAL FUND APPROPRIATION TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES UNDER "HUMAN AND COMMUNITY SERVICES DIVISION" IN SECTION B OF HOUSE BILL NO. 2 MUST BE INCREASED FROM $33,087,934 TO $36,087,934 IN THE FISCAL YEAR BEGINNING JULY 1, 2017, AND INCREASED FROM $33,049,762 TO $36,049,762 IN THE FISCAL YEAR BEGINNING JULY 1, 2018.

COORDINATION SECTION. **SECTION 12. COORDINATION INSTRUCTION.** IF BOTH [THIS ACT] AND HOUSE BILL NO. 2 ARE PASSED AND APPROVED, THEN THE FOLLOWING LANGUAGE MUST BE INSERTED IN SECTION B OF HOUSE BILL NO. 2 UNDER "HUMAN AND COMMUNITY SERVICES DIVISION":

"The increased appropriations provided in [section 11 of House Bill No. 639] to the Stars to Quality Program are one time only and are not to be included in the base in the 2021 budget planning process. The increased appropriations are to expand the program and increase access to preschool for 4- and 5-year-old children. The department shall use the money to create and support pilot programs to test multiple delivery models, including public programs, private programs, and mixed delivery programs through public-private partnerships. The department may use funds to support preschool programs, including startup and training costs. In establishing the pilot programs, the department shall ensure that pilot programs are included in programs in rural and urban areas. The department shall file a report with the 2019 legislature and present the report to the education and local government committee, the legislative finance committee, and the children, families, health, and human services committee by September 1, 2018. The report must:

(1) address the demand for programs and the impact on current providers, with a specific focus on rural communities;

(2) evaluate the benefits and disadvantages of various delivery models;

(3) analyze advancements in kindergarten readiness for children participating in the programs; and

(4) make recommendations for the program."

NEW SECTION. **SECTION 13. SEVERABILITY.** IF A PART OF [THIS ACT] IS INVALID, ALL VALID PARTS THAT ARE SEVERABLE FROM THE INVALID PART REMAIN IN EFFECT. IF A PART OF [THIS ACT] IS INVALID IN ONE OR MORE OF ITS APPLICATIONS, THE PART REMAINS IN EFFECT IN ALL VALID APPLICATIONS THAT ARE SEVERABLE FROM THE INVALID APPLICATIONS.

~~NEW SECTION. **Section 8. Effective date.** [This act] is effective July 1, 2017.~~

NEW SECTION. **SECTION 14. EFFECTIVE DATES.** (1) EXCEPT AS PROVIDED IN SUBSECTION (2), [THIS ACT] IS EFFECTIVE JULY 1, 2017.

(2) [SECTION 4] AND THIS SECTION ARE EFFECTIVE ON PASSAGE AND APPROVAL.

NEW SECTION. **SECTION 15. TERMINATION.** [SECTION 4] TERMINATES JUNE 30, 2019.

- END -

AN ACT REVISING FUNDING FOR HEALTH CARE SERVICES; ADJUSTING THE CONVERSION FACTOR FOR PHYSICIAN SERVICES REIMBURSEMENT; IMPLEMENTING PROVISIONS OF THE GENERAL APPROPRIATIONS ACT; PROVIDING MEDICAID CASELOAD RESTRICTIONS; PROVIDING LIMITATIONS ON TRANSFERS OF FUNDING FOR THE MONTANA DEVELOPMENTAL CENTER; ESTABLISHING A TEMPORARY COMMUNITY BENEFIT ASSESSMENT FOR CERTAIN HOSPITALS; PROVIDING FOR A STATUTORY APPROPRIATION; AMENDING SECTIONS 17-7-502 AND 53-6-125, MCA; AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Medicaid caseload contingent funding -- restrictions. (1) The appropriations to the department of public health and human services in House Bill No. 2, under "Medicaid Caseload Contingency" only occur:

(a) for fiscal year 2018, if nonrestricted general fund expenditures for the department, including accruals, exceed $501,016,552 during the fiscal year; and

(b) for fiscal year 2019, if nonrestricted general fund expenditures for the department, including accruals, exceed $514,663,100 during the fiscal year.

(2) The House Bill No. 2 appropriation amounts provided for in subsections (1)(a) and (1)(b) are based on the amount of nonrestricted general fund appropriations for fiscal years 2018 and 2019. The amounts of $501,016,552 for fiscal year 2018 and $514,663,100 for fiscal year 2019 are superseded by the total of nonrestricted general fund appropriations for each separate fiscal year, as reflected in House Bill No. 2 as passed and approved.

Section 2. Montana developmental center -- requirements. The appropriation to the department of public health and human services in House Bill No. 2, under "Montana Developmental Center" is restricted to the following:

(a) expenditures at the Montana developmental center; or

(b) transfers pursuant to subsection (2).

(2) The department may transfer from "Montana Developmental Center" for other necessary services for individuals served or who would have otherwise been served at the Montana Developmental Center.

(3) If the department transfers funding or full-time equivalents from the appropriation under "Montana Developmental Center", the department must notify the legislative finance committee and the legislative fiscal analyst.

(4) Any information that is confidential or personally identifiable provided pursuant to this section may only be communicated to the legislative fiscal analyst, who will not release the information pursuant to 5-12-303.

Section 3. Indian health services federal revenue account. (1) There is an account in the federal special revenue fund established pursuant to 17-2-102 to be known as the Indian health service federal revenue account.

(2) Funds in the account are statutorily appropriated, as provided in 17-7-502, to the department of public health and human services for medicaid benefits for Indian health services or tribal health services.

Section 4. Hospital community benefit assessment. (1) A hospital shall pay to the department of public health and human services a hospital community benefit assessment no later than June 29 of fiscal years 2017, 2018, and 2019. All proceeds from the assessment must be deposited into the general fund.

(2) For purposes of this section, "hospital" means a facility licensed as a hospital pursuant to Title 50, chapter 5, and does not include a critical access hospital, a children's psychiatric hospital, or the Montana state hospital.

(3) The following amounts are imposed as the annual community benefit assessment:

(a) for Advanced Care Hospital in Billings, $122,000;

(b) for Benefis Health System in Great Falls, $696,600;

(c) for Billings Clinic, $835,300;

(d) for Bozeman Health Big Sky Medical Center, $2,900;

(e) for Bozeman Health, $242,000;

(f) for Community Medical Center in Missoula, $278,000;

(g) for Great Falls Clinic Medical Center, $16,790;

(h) for Health Center Northwest, $19,100;

(i) for Kalispell Regional Medical Center, $420,180;

(j) for Northern Montana Hospital in Havre, $51,400;

(k) for St. James Healthcare in Butte, $139,900;

(l) for Providence St. Patrick Hospital in Missoula, $534,200;

(m) for St. Peter's Hospital in Helena, $345,225; and

(n) for St. Vincent Healthcare in Billings, $647,180.

Section 5. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-433; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-215; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-517; 20-9-520; 20-9-534; 20-9-622; 20-9-905; 20-26-617; 20-26-1503; 22-1-327; 22-3-116; 22-3-117; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-50-209; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-213; 44-13-102; 50-1-115; 53-1-109; [section 3]; 53-6-1304; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; [85-25-102]; 87-1-603;

90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to sec. 5, Ch. 244, L. 2013, the inclusion of 22-1-327 terminates July 1, 2017; pursuant to sec. 27, Ch. 285, L. 2015, and sec. 1, Ch. 292, L. 2015, the inclusion of 53-9-113 terminates June 30, 2021; pursuant to sec. 6, Ch. 291, L. 2015, the inclusion of 50-1-115 terminates June 30, 2021; pursuant to sec. 28, Ch. 368, L. 2015, the inclusion of 53-6-1304 terminates June 30, 2019; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of 85-25-102 is effective on occurrence of contingency; pursuant to sec. 5, Ch. 422, L. 2015, the inclusion of 17-7-215 terminates June 30, 2021; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116 and 22-3-117 terminates June 30, 2025; pursuant to sec. 10, Ch. 427, L. 2015, the inclusion of 37-50-209 terminates September 30, 2019; and pursuant to sec. 33, Ch. 457, L. 2015, the inclusion of 20-9-905 terminates December 31, 2023.)"

Section 6. Section 53-6-125, MCA, is amended to read:

"53-6-125. Physician services reimbursement. (1) The fee for a covered service provided by a physician under the medicaid program is determined by multiplying the conversion factor times the relative value

unit for that service times any applicable policy adjusters.

(2) (a) ~~(a) For state fiscal years 2011 through 2013, the conversion factor is $40.09. The conversion factor may be adjusted by the department in order to maintain reimbursement, at a minimum, at the fiscal year 2010 reimbursement rate.~~

~~(b) For state fiscal year 2014 and for each subsequent state fiscal year, the~~ For fiscal years 2018 and 2019, the conversion factor must be increased, at a minimum, ~~at a minimum, by the same percentage increase as the consumer price index for medical care for the previous year, as calculated by the bureau of labor statistics of the United States department of labor~~ by the same numerical inflation factor calculated in accordance with 20-9-326.

(b) For each subsequent fiscal year, the conversion factor must be increased, at a minimum, by the same percentage increase as the consumer price index for medical care for the previous year, as calculated by the bureau of labor statistics of the United States department of labor."

Section 7. Codification instruction. [Section 3] is intended to be codified as an integral part of Title 53, chapter 6, and the provisions of Title 53, chapter 6, apply to [section 3].

Section 8. Coordination instruction. If House Bill No. 2 and [this act] are both passed and approved and [this act] contains a statutory appropriation for Indian health services and tribal health services funding, the appropriation for the health resources division in House Bill No. 2 is decreased by $82,373,231 in federal funds in fiscal year 2018 and by $94,556,232 in federal funds in fiscal year 2019.

Section 9. Coordination instruction. If both [this act] and House Bill No. 2 are passed and approved, then the following line item is inserted in Section B of House Bill No. 2 under "Director's Office":

"b. Tracking Operational and Performance Program Measures (OTO/Biennial)

$100,000 [General Fund FY 2018] $100,000 [Federal Special Revenue FY 2018]

$100,000 [General Fund FY 2019] $100,000 [Federal Special Revenue FY 2019]."

Section 10. Coordination instruction. If both [this act] and House Bill No. 2 are passed and approved, then the following language must be inserted in Section B of House Bill No. 2 under "Department of Public Health

and Human Services":

"Tracking Operational and Performance Program Measures must be utilized for the analysis and creation of a metrics-based blueprint for select department of public health and human service programs, with a primary focus on the child and family services division and a specified initiative identified as having a high impact on the health of Montanans, and for the department to track operational and program performance measures related to the following:

(1) improved health of women and children, including:

(a) proportion of women smoking during pregnancy;

(b) proportion of pregnant women who report entering prenatal care in the first trimester;

(c) proportion of pregnant women receiving medicaid services who report entering prenatal care in the first trimester;

(d) proportion of high school students using tobacco products or nicotine products in the past 30 days;

(2) improved health of medicaid members, including the proportion of medicaid members receiving preventative services;

(3) operational efficiencies, including:

(a) proportion of payments issued electronically; and

(b) proportion of help desk tickets to technologically support the workforce; and

(4) the efficacy of the protect Montana kids commission proposals that were enacted by the 65th legislature."

Section 11. Coordination instruction. If both [this act] and House Bill No. 2 are passed and approved, then the general fund appropriation to the department of public health and human services under "Human and Community Services Division" in Section B of House Bill No. 2 must be increased from $33,087,934 to $36,087,934 in the fiscal year beginning July 1, 2017, and increased from $33,049,762 to $36,049,762 in the fiscal year beginning July 1, 2018.

Section 12. Coordination instruction. If both [this act] and House Bill No. 2 are passed and approved, then the following language must be inserted in Section B of House Bill No. 2 under "Human and Community Services Division":

"The increased appropriations provided in [section 11 of House Bill No. 639] to the Stars to Quality Program are one time only and are not to be included in the base in the 2021 budget planning process. The increased appropriations are to expand the program and increase access to preschool for 4- and 5-year-old children. The department shall use the money to create and support pilot programs to test multiple delivery models, including public programs, private programs, and mixed delivery programs through public-private partnerships. The department may use funds to support preschool programs, including startup and training costs. In establishing the pilot programs, the department shall ensure that pilot programs are included in programs in rural and urban areas. The department shall file a report with the 2019 legislature and present the report to the education and local government committee, the legislative finance committee, and the children, families, health, and human services committee by September 1, 2018. The report must:

(1) address the demand for programs and the impact on current providers, with a specific focus on rural communities;

(2) evaluate the benefits and disadvantages of various delivery models;

(3) analyze advancements in kindergarten readiness for children participating in the programs; and

(4) make recommendations for the program."

Section 13. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 14. Effective dates. (1) Except as provided in subsection (2), [this act] is effective July 1, 2017.

(2) [Section 4] and this section are effective on passage and approval.

Section 15. Termination. [Section 4] terminates June 30, 2019.

- END -

I hereby certify that the within bill,

HB 0639, originated in the House.

Speaker of the House

Signed this _____ day

of _____, 2017.

Chief Clerk of the House

President of the Senate

Signed this _____ day

of _____, 2017.

HOUSE BILL NO. 639

INTRODUCED BY R. COOK

AN ACT REVISING FUNDING FOR HEALTH CARE SERVICES; ADJUSTING THE CONVERSION FACTOR FOR PHYSICIAN SERVICES REIMBURSEMENT; IMPLEMENTING PROVISIONS OF THE GENERAL APPROPRIATIONS ACT; PROVIDING MEDICAID CASELOAD RESTRICTIONS; PROVIDING LIMITATIONS ON TRANSFERS OF FUNDING FOR THE MONTANA DEVELOPMENTAL CENTER; ESTABLISHING A TEMPORARY COMMUNITY BENEFIT ASSESSMENT FOR CERTAIN HOSPITALS; PROVIDING FOR A STATUTORY APPROPRIATION; AMENDING SECTIONS 17-7-502 AND 53-6-125, MCA; AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE.

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chair Nancy Ballance, on March 27, 2017 at 8:00 AM, in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Nancy Ballance, Chair (R)
Rep. Randy Brodehl, Vice Chair (R)
Rep. Kelly McCarthy, Vice Chair (D)
Rep. Dan Bartel (R)
Rep. Tom Burnett (R)
Rep. Rob Cook (R)
Rep. Mike Cuffe (R)
Rep. Janet Ellis (D)
Rep. Bradley Hamlett (D)
Rep. Kenneth L. Holmlund (R)
Rep. Mike Hopkins (R)
Rep. Jim Keane (D)
Rep. Jon A. Knokey (R)
Rep. Ryan Lynch (D)
Rep. Rae Peppers (D)
Rep. Marilyn Ryan (D)
Rep. Brad Tschida (R)
Rep. Tom Woods (D)

Members Excused:

Rep. Kimberly Dudik (D)
Rep. Carl Glimm (R)
Rep. Donald W. Jones (R)
Rep. Jimmy Patelis (R)

Members Absent: None

Staff Present: Julie Johnson, Legislative Branch
Joe Triem, Legislative Branch
Sherri Row, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 473, 3/23/2017; HB 511, 3/23/2017; HB 638, 3/23/2017; HB 639, 3/23/2017; HB 652, 3/23/2017; HB 658, 3/23/2017

00:01:35 Chair Ballance
00:01:40 Vice Chair Brodehl left the meeting

HEARING ON HB 638

Opening Statement by Sponsor:
00:02:00 Rep. Jon Knokey (R), HD 65, opened the hearing on HB 638, Fund direct care worker wage increases in developmental disability services.
EXHIBIT(aph63a01)

00:05:01 Rep. Patelis arrived

Proponents' Testimony:
00:10:54 Ken Brown, Opportunity Resources
00:13:34 David Eaton, Counterpoint Incorporated
00:14:04 Chair Ballance relinquished the chair to Rep. Cook
00:16:19 Jennifer Butler, Quality Life Concepts
00:18:31 Clinton Kelly, Quality Life Concepts
00:20:17 Kerry Dattilo, Quality Life Concepts
00:22:42 Justin Harvey, Quality Life Concepts
00:25:00 Kayla Harvey, Quality Life Concepts
00:27:00 Kelly Jepson, Full Circle Counseling Solutions
EXHIBIT(aph63a02)

00:28:15 Chair Cook
00:28:25 Fran Kadoski, Missoula Developmental Services Corporation (MDSC)
00:31:39 Mike Mahoney, Family Outreach
00:32:54 Charley Briggs, Easter Seals-Good Will
00:33:26 Beth Brenneman, Disability Rights Montana
00:34:43 Eve Franklin, Montana Association of Disability Services

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:
00:36:39 Vice Chair McCarthy
00:37:23 Rep. Knokey
00:37:27 Vice Chair McCarthy
00:37:30 Rep. Ryan
00:37:38 Vice Chair McCarthy
00:37:46 Rep. Knokey
00:38:40 Chair Cook
00:38:47 Vice Chair McCarthy
00:38:54 Chair Cook
00:38:58 Vice Chair McCarthy
00:39:17 Rep. Knokey
00:39:21 Rep. Woods
00:39:41 Rep. Knokey

00:40:18 Rep. Wood
00:41:44 Rep. Knokey
00:43:14 Rep. Ellis
00:45:29 Rep. Knokey
00:46:10 Rep. Tschida
00:47:10 Chair Cook
00:47:27 Rep. Tschida
00:47:51 Chair Cook
00:47:59 David Eaton, Counterpoint Incorporated
00:48:29 Rep. Tschida
00:49:02 Rep. Burnett
00:49:52 Rep. Knokey
00:50:01 Rep. Burnett
00:50:15 Eve Franklin, Montana Association of Disability Services
00:51:05 Rep. Burnett
00:51:09 Eve Franklin, Montana Association of Disability Services
00:51:37 Rep. Woods
00:52:10 Chair Cook
00:52:29 Rep. Woods
00:52:34 Rep. Knokey
00:53:19 Rep. Cook
00:53:37 Rep. Knokey
00:54:58 Rep. Hamlett
00:55:21 Rep. Knokey
00:56:15 Chair Cook

Closing by Sponsor:
00:57:43 Rep. Knokey

01:01:32 Chair Cook relinquished the chair to Vice Chair McCarthy

HEARING ON HB 652

Opening Statement by Sponsor:
01:01:58 Rep. Rob Cook (R), HD 18, opened the hearing on HB 652, Generally revise healthcare laws.

Proponents' Testimony:
01:02:53 Kris Hansen, Office of the State Auditor (OSA)
EXHIBIT(aph63a03)
EXHIBIT(aph63a04)

01:13:12 Bill Lombardi, Blue Cross Blue Shield of Montana
01:14:21 Rep. Ballance returned to the meeting
01:15:29 Jennifer Hensley, Pacific Source Healthplan
01:16:12 Richard Miltenberger, Self

Opponents' Testimony:
01:17:32 Mary Dalton, Department of Public Health and Human Services (DPHHS)

Informational Testimony: None

Questions from Committee Members and Responses:

01:20:17 Rep. Keane
01:20:56 Bill Lombardi, Blue cross blue shield I think
01:22:09 Rep. Woods
01:24:36 Kris Hansen, OSA
01:25:35 Rep. Burnett
01:26:07 Kris Hansen, OSA
01:28:35 Rep. Ellis
01:29:56 Kris Hansen, OSA
01:31:57 Rep. Knokey
01:32:37 Kris Hansen, OSA
01:33:53 Rep. Knokey
01:35:58 Mary Dalton, DPHHS
01:37:55 Rep. Hamlett
01:38:41 Rep. Cook
01:39:18 Rep. Keane
01:39:58 Julie Johnson, Legislative Services Division (LSD)
01:40:12 Rep. Ellis
01:40:50 Mary Dalton, DPHHS
01:41:12 Chair McCarthy
01:44:21 Kris Hansen, OSA
01:46:18 Rep. Ryan
01:46:28 Kris Hansen, OSA

Closing by Sponsor:

01:47:24 Rep. Cook

01:48:28 Rep. Ballance resumed the Chair

HEARING ON HB 473

Opening Statement by Sponsor:

01:48:50 Rep. Frank Garner (R), HD 7, opened the hearing on HB 473, Revise highway revenue laws.

Proponents' Testimony:

01:53:36 Darryl James, Montana Infrastructure Coalition
01:55:53 Eric Bryson, Montana Association of Counties (MACo)
01:56:50 Bob Gilbert, City of Colstrip, City of Glendive
01:57:47 Webb Brown, Montana Chamber of Commerce
01:58:23 Spook Stang, Motor Carriers of Montana
01:59:01 Tim Burton, Montana League of Cities and Towns
01:59:30 Greg Dorrington, City of Bozeman
01:59:52 Jay Skoog, American Council of Engineering
02:00:19 Eric Feaver, MEA-MFT
02:00:38 Tom Butler, Montana Highway Patrol
02:01:12 Shane Gorder, Richland County Commissioner
02:01:48 Jason Rittal, Fallon County, Montana Economic Development

02:02:10 John MacDonald, City of Missoula
02:02:34 Brad Longcake, Montana Petroleum Marketers and Convenience Stores
02:03:00 Steve Wade, Montana Contractors Association (MCA)

Opponents' Testimony: None

Informational Testimony:
02:03:39 Larry Flynn, Montana Department of Transportation (MDT)

Questions from Committee Members and Responses:
02:05:12 Rep. Burnett
02:05:20 Rep. Garner
02:06:01 Rep. Tschida
02:07:17 Rep. Garner
02:07:21 Rep. Tschida
02:07:51 Chair Ballance
02:08:08 Rep. Garner
02:08:12 Rep. Cook
02:08:39 Rep. Garner
02:09:16 Rep. Cook
02:09:22 Rep. Garner
EXHIBIT(aph63a05)

02:09:30 Rep. Cook
02:09:35 Rep. Garner
02:09:39 Chair Ballance
02:11:12 Eric Bryson, MACo

Closing by Sponsor:
02:11:33 Rep. Garner

02:12:12 Chair Ballance

HEARING ON HB 511

Opening Statement by Sponsor:
02:12:23 Rep. Rob Cook (R), HD 18, opened the hearing on HB 511, Revise income tax laws related to businesses.

Proponents' Testimony:
02:14:03 Lee Baerlocher, Department of Revenue (DOR)
02:15:40 Rep. Glimm joined the meeting

Opponents' Testimony:
02:17:38 Walt Kero, Self

Informational Testimony: None

Questions from Committee Members and Responses:
02:20:43 Rep. Ellis
02:21:07 Lee Baerlocher, DOR
02:22:45 Rep. Bartel
02:23:29 Rep. Cook
02:23:47 Rep. Knokey
02:24:11 Rep. Cook
02:24:53 Rep. Knokey
02:25:51 Lee Baerlocher, DOR
02:27:21 Rep. Knokey
02:29:50 Rep. Cook
02:29:58 Rep. Keane
02:32:03 Lee Baerlocher, DOR
02:32:23 Rep. Knokey
02:33:31 Lee Baerlocher, DOR

Closing by Sponsor:
02:34:15 Rep. Cook

HEARING ON HB 639

Opening Statement by Sponsor:
02:35:54 Rep. Rob Cook (R), HD 18, opened the hearing on HB 639, Revising funding for health care services.

Proponents' Testimony: None

Opponents' Testimony:
02:37:09 Jean Branscum, Montana Medical Association (MMA)

Informational Testimony:
02:41:13 Mary Dalton, Department of Public Health and Human Services (DPHHS)

Questions from Committee Members and Responses:
02:41:38 Rep. Burnett
02:42:22 Mary Dalton, DPHHS

Closing by Sponsor:
02:42:57 Rep. Cook

HEARING ON HB 658

Opening Statement by Sponsor:
02:44:11 Rep. Bradley Hamlett (D), HD 23, opened the hearing on HB 658, Revise lease-purchase laws regarding state buildings.

Proponents' Testimony:
02:45:30 Brian Thompson, Montana Contractors Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:46:49 Rep. Glimm
02:47:49 Rep. Hamlett
02:49:44 Rep. Woods
02:50:51 Rep. Hamlett
02:51:00 Rep. Cuffe
02:53:26 Rep. Hamlett
02:54:10 Rep. Burnett
02:54:50 Rep. Hamlett
02:55:35 Rep. Dudik joined the meeting
02:55:50 Rep. Burnett
02:56:26 Rep. Hamlett

Closing by Sponsor:

02:56:52 Rep. Hamlett

02:57:23 Chair Ballance
EXHIBIT(aph63a06)

03:00:27 Rep. Dudik
03:00:39 Rep. Glimm
03:00:50 Chair Ballance

ADJOURNMENT

Adjournment: 03:01:33

_____
Sherri Row, Secretary

sr

Additional Documents:

EXHIBIT(aph63aad.pdf)

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chair Nancy Ballance, on March 27, 2017 at 3:30 P.M., in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Nancy Ballance, Chair (R)
Rep. Randy Brodehl, Vice Chair (R)
Rep. Kelly McCarthy, Vice Chair (D)
Rep. Dan Bartel (R)
Rep. Tom Burnett (R)
Rep. Rob Cook (R)
Rep. Mike Cuffe (R)
Rep. Kimberly Dudik (D)
Rep. Carl Glimm (R)
Rep. Bradley Hamlett (D)
Rep. Kenneth L. Holmlund (R)
Rep. Mike Hopkins (R)
Rep. Donald W. Jones (R)
Rep. Jim Keane (D)
Rep. Jon A. Knokey (R)
Rep. Ryan Lynch (D)
Rep. Jimmy Patelis (R)
Rep. Marilyn Ryan (D)
Rep. Brad Tschida (R)
Rep. Tom Woods (D)

Members Excused:
Rep. Janet Ellis (D)
Rep. Rae Peppers (D)

Members Absent: None

Staff Present: Julie Johnson, Legislative Branch
Joe Triem, Legislative Branch
Sherri Row, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:
Executive Action on: HB 14; HB 46; HB 645; HB 639; HB 642; HB 647; HB 648; HB 650; HB 473; HB 511; HB 618; HB 638; HB 652; HB 658

00:01:42 Chair Ballance
00:04:27 Vice Chair McCarthy
00:04:38 Chair Ballance
00:04:55 Rep. Keane
00:05:17 Rep. Cook
00:05:21 Rep. Keane
00:05:31 Chair Ballance

00:05:57 Recessed
00:47:07 Reconvened - with Rep. Ryan excused and Rep. Peppers present

00:47:18 Chair Ballance

EXECUTIVE ACTION ON HB 46

00:47:35 **Motion/Vote:** Rep. Brodehl moved that **HB 46 BE TABLED**. Motion failed 11-11 by roll call vote with Rep. Ballance, Rep. Bartel, Rep. Brodehl, Rep. Burnett, Rep. Cuffe, Rep. Glimm, Rep. Holmlund, Rep. Hopkins, Rep. D. Jones, Rep. Knokey and Rep. Tschida voting aye. Rep. Ellis and Rep. Ryan voted by proxy.

00:49:34 **Motion:** Rep. Brodehl moved that **HB 46 DO PASS**.

Discussion:
00:49:40 Rep. Dudik
00:50:15 Rep. Ryan returned

00:51:10 **Vote:** Motion carried 12-10 by roll call vote with Rep. Ballance, Rep. Bartel, Rep. Brodehl, Rep. Burnett, Rep. Cook, Rep. Cuffe, Rep. Glimm, Rep. Hopkins, Rep. D. Jones and Rep. Tschida voting no. Rep. Ellis voted by proxy.

EXECUTIVE ACTION ON HB 14

00:52:59 **Motion/Vote:** Rep. Brodehl moved that **HB 14 BE TABLED**. Motion carried 18-4 by roll call vote with Rep. Ellis, Rep. Hamlett, Rep. Lynch and Rep. Woods voting no. Rep. Ellis voted by proxy.

EXECUTIVE ACTION ON HB 645

00:54:37 **Motion:** Rep. Brodehl moved that **HB 645 DO PASS**.

00:54:44 **Motion/Vote:** Rep. Keane moved that **HB 645 BE AMENDED**. Motion failed 10-12 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Hamlett, Rep. Hopkins, Rep. Keane, Rep. Lynch, Rep. McCarthy, Rep. Peppers, Rep. Ryan and Rep. Woods voting aye. Rep. Ellis voted by proxy.

EXHIBIT(aph63b01)
EXHIBIT(aph63b02)

00:57:40 **Motion/Vote:** Rep. Lynch moved that **HB 645 BE AMENDED**. Motion failed 9-13 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Hamlett, Rep. Keane, Rep. Lynch, Rep. McCarthy, Rep. Peppers, Rep. Ryan and Rep. Woods voting aye. Rep. Ellis voted by proxy.
EXHIBIT(aph63b03)

00:59:35 **Vote:** Motion failed 9-13 by roll call vote with Rep. Ballance, Rep. Cook, Rep. Cuffe, Rep. Hamlett, Rep. Holmlund, Rep. Hopkins, Rep. Knokey, Rep. Lynch and Rep. Ryan voting aye. Rep. Ellis voted by proxy.

01:01:23 **Motion/Vote:** Rep. Brodehl moved that **HB 645 BE TABLED**. Motion carried unanimously by voice vote. Rep. Ellis voted by proxy.

EXECUTIVE ACTION ON HB 642

01:02:04 **Motion/Vote:** Rep. Brodehl moved that **HB 642 DO PASS**. Motion carried unanimously by voice vote. Rep. Ellis voted by proxy.

EXECUTIVE ACTION ON HB 639

01:03:00 **Motion/Vote:** Rep. Brodehl moved that **HB 639 DO PASS**. Motion carried unanimously by voice vote. Rep. Ellis voted by proxy.

EXECUTIVE ACTION ON HB 648

01:04:05 **Motion:** Rep. Brodehl moved that **HB 648 DO PASS**.

01:04:07 **Motion:** Rep. Glimm moved that **HB 648 BE AMENDED**.
EXHIBIT(aph63b04)

Discussion:
01:05:03 Rep. Lynch
01:05:07 Rep. Glimm
01:05:33 Rep; Lynch
01:05:40 Chair Ballance
01:06:08 Kris Wilkenson, Legislative Fiscal Division (LFD)
01:07:15 Chair Ballance
01:07:41 Kris Wilkenson, LFD
01:07:59 Chair Ballance
01:08:17 Rep. Glimm
01:08:32 Kris Wilkenson, LFD
01:09:01 Vice Chair Brodehl
01:09:16 Rep. Glimm

01:09:42 **Vote:** Motion carried 15-7 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Lynch, Rep. McCarthy, Rep. Peppers, Rep. Ryan and Rep. Woods voting no. Rep. Ellis voted by proxy.

01:11:09 **Motion/Vote:** Rep. Brodehl moved that **HB 648 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Ellis voted by proxy.

EXECUTIVE ACTION ON HB 650

01:11:41 **Motion:** Rep. Brodehl moved that **HB 650 DO PASS**.

01:11:46 **Motion:** Rep. Dudik moved that **HB 650 BE AMENDED**.
EXHIBIT(aph63b05)

Discussion:
01:12:43 Vice Chair Brodehl

01:13:04 **Vote:** Motion failed 10-12 by roll call vote with Rep. Cuffe, Rep. Dudik, Rep. Ellis, Rep. Hamlett, Rep. Keane, Rep. Lynch, Rep. McCarthy, Rep. Peppers, Rep. Ryan and Rep. Woods voting aye. Rep. Ellis voted by proxy.

01:14:31 **Motion:** Rep. Hamlett moved that **HB 650 BE AMENDED**.
EXHIBIT(aph63b06)

Discussion:
01:15:27 Vice Chair Brodehl
01:15:35 Rep. Hamlett
01:16:26 Vice Chair Brodehl
01:17:53 Vice Chair McCarthy
01:18:40 Rep. Patelis
01:19:26 Rep. Hamlett

01:20:30 **Vote:** Motion failed 9-13 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Hamlett, Rep. Keane, Rep. Lynch, Rep. McCarthy, Rep. Peppers, Rep. Ryan and Rep. Woods voting aye. Rep. Ellis voted by proxy.

01:21:50 **Vote:** Motion carried 20-2 by voice vote with Rep. Hamlett and Rep. Keane voting no. Rep. Ellis voted by proxy.

EXECUTIVE ACTION ON HB 647

01:22:30 **Motion:** Rep. Brodehl moved that **HB 647 DO PASS**.

01:22:35 **Motion:** Rep. D. Jones moved that **HB 647 BE AMENDED**.
EXHIBIT(aph63b07)

Discussion:
01:23:14 Vice Chair McCarthy
01:23:45 Rep. Jones
01:25:04 Rep. Dudik
01:25:19 Rep. Jones
01:25:33 Rep. Hamlett
01:25:55 Rep. Keane

01:26:06 **Vote:** Motion carried 18-4 by roll call vote with Rep. Ellis, Rep. Hamlett, Rep. Lynch and Rep. Peppers voting no. Rep. Ellis voted by proxy.

01:27:30 Rep. Cuffe
01:28:31 Chair Ballance

01:28:36 **Motion/Vote:** Rep. Brodehl moved that **HB 647 DO PASS AS AMENDED**. Motion carried 21-1 by voice vote with Rep. Hamlett voting no. Rep. Ellis voted by proxy.

EXECUTIVE ACTION ON HB 473

01:29:21 **Motion/Vote:** Rep. Brodehl moved that **HB 473 DO PASS**. Motion carried 12-10 by roll call vote with Rep. Bartel, Rep. Brodehl, Rep. Burnett, Rep. Cuffe, Rep. Glimm, Rep. Hopkins, Rep. D. Jones, Rep. Lynch, Rep. Patelis and Rep. Tschida voting no. Rep. Ellis voted by proxy.

EXECUTIVE ACTION ON HB 511

01:31:20 **Motion/Vote:** Rep. Brodehl moved that **HB 511 DO PASS.** Motion carried 15-7 by roll call vote with Rep. Brodehl, Rep. Burnett, Rep. Glimm, Rep. Hopkins, Rep. D. Jones, Rep. Knokey and Rep. Tschida voting no. Rep. Ellis voted by proxy.

EXECUTIVE ACTION ON HB 618

01:33:04 **Motion/Vote:** Rep. Brodehl moved that **HB 618 DO PASS**. Motion carried 18-4 by voice vote with Rep. Bartel, Rep. Burnett, Rep. Glimm and Rep. Tschida voting no. Rep. Ellis voted by proxy.

EXECUTIVE ACTION ON HB 638

01:34:04 **Motion:** Rep. Brodehl moved that **HB 638 DO PASS**.

01:34:34 **Motion:** Rep. Ryan moved that **HB 638 BE AMENDED**.
EXHIBIT(aph63b08)

Discussion:
01:35:04 Rep. Cook
01:35:55 Rep. Ryan
01:36:43 Rep. Knokey

01:36:56 **Vote:** Motion carried 21-1 by voice vote with Rep. Cook voting no. Rep. Ellis voted by proxy.

01:37:30 **Motion/Vote:** Rep. Brodehl moved that **HB 638 DO PASS AS AMENDED**. Motion carried 18-4 by roll call vote with Rep. Ballance, Rep. Burnett, Rep. Glimm and Rep. Tschida voting no. Rep. Ellis voted by proxy.

EXECUTIVE ACTION ON HB 652

01:39:10 **Motion:** Rep. Brodehl moved that **HB 652 DO PASS**.

01:39:16 **Motion:** Rep. Cook moved that **HB 652 BE AMENDED**.
EXHIBIT(aph63b09)

Discussion:
01:40:26 Joe Triem, Legislative Fiscal Division (LFD)

01:40:26 **Vote:** Motion carried unanimously by voice vote. Rep. Ellis voted by proxy.

01:40:53 **Motion:** Rep. Brodehl moved that **HB 652 DO PASS AS AMENDED**.

Discussion:
01:41:07 Vice Chair McCarthy
01:42:04 Rep. Cook
01:42:25 Rep. Ryan
01:42:58 Rep. Keane
01:43:33 Rep. Cook

01:43:40 Chair Ballance relinquished the chair to Rep. Glimm

01:43:56 **Vote:** Motion carried 15-7 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Keane, Rep. Lynch, Rep. McCarthy, Rep. Peppers and Rep. Ryan voting no. Rep. Ballance and Rep. Ellis voted by proxy.

EXECUTIVE ACTION ON HB 658

01:45:39 **Motion:** Rep. Brodehl moved that **HB 658 DO PASS**.

Discussion:
01:45:46 Vice Chair McCarthy

01:46:27 **Vote:** Motion failed 8-14 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Hamlett, Rep. Lynch, Rep. McCarthy, Rep. Peppers, Rep. Ryan and Rep. Woods voting aye. Rep. Ballance and Rep. Ellis voted by proxy.

01:46:30 Rep. Ballance returned and assumed the Chair

01:48:07 **Motion/Vote:** Rep. Brodehl moved that **HB 658 BE TABLED**. Motion carried unanimously by voice vote. Rep. Ellis voted by proxy.

EXECUTIVE ACTION ON HB 550

01:49:03 **Motion/Vote:** Rep. Knokey moved that **HB 550 BE REMOVED FROM TABLE AS PREVIOUSLY AMENDED**. Motion carried 14-7 by roll call vote with Rep. Hamlett, Rep. Keane, Rep. Lynch, Rep. Patelis, Rep. Peppers, Rep. Ryan and Rep. Woods voting no. Rep. Ellis was excused.

01:51:16 Rep. Knokey
01:51:40 Rep. Keane
01:52:01 Chair Ballance
01:52:20 Rep. Knokey
01:53:15 Rep. Cook
01:53:49 Chair Ballance
01:53:57 Julie Johnson, Legislative Service Division (LSD)

01:54:11 **Motion:** Rep. Cook moved to **REMOVE AMENDMENT HB055001.AJJ**.

Discussion:
01:55:12 Julie Johnson, LSD
01:55:22 Rep. Woods
01:55:45 Chair Ballance
01:56:04 Rep. Keane
01:56:28 Chair Ballance
01:56:33 Rep. Keane
01:56:53 Chair Ballance
01:57:00 Julie Johnson, LSD
01:57:36 Rep. Hamlett
01:57:54 Chair Ballance
01:58:08 Rep. Bartel
01:58:39 Chair Ballance
01:59:36 Rep. Cook
02:00:58 Rep. Keane
02:01:08 Rep. Cook
02:01:42 Chair Ballance

02:01:50 **Vote:** Motion carried 14-8 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Keane, Rep. Lynch, Rep. McCarthy, Rep. Peppers, Rep. Ryan and Rep. Woods voting no. Rep. Ellis voted by proxy.

02:03:19 **Motion/Vote:** Rep. Brodehl moved that **HB 550 DO PASS**. Motion carried 13-9 by roll call vote with Rep. Brodehl, Rep. Dudik, Rep. Ellis, Rep. Keane, Rep. Lynch, Rep. McCarthy, Rep. Peppers, Rep. Ryan and Rep. Woods voting no. Rep. Ellis voted by proxy.

EXECUTIVE ACTION ON HB 107

02:04:54 **Motion/Vote:** Rep. Cuffe moved that **HB 107 BE REMOVED FROM TABLE**. Motion carried 21-0 by voice vote. Rep. Ellis was excused.

02:05:56 **Motion/Vote:** Rep. Brodehl moved that **HB 107 DO PASS**. Motion carried unanimously by voice vote. Rep. Ellis voted by proxy.

02:06:52 Chair Ballance

ADJOURNMENT

Adjournment: 02:07:58

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Sherri Row, Secretary

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Additional Documents:

EXHIBIT(aph63bad.pdf)

MINUTES

MONTANA SENATE
65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chair Llew Jones, on April 5, 2017 at 8:00 AM, in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Llew Jones, Chair (R)
Sen. Frederick (Eric) Moore, Vice Chair (R)
Sen. Duane Ankney (R)
Sen. Terry Gauthier (R)
Sen. David Howard (R)
Sen. Douglas (Doug) Kary (R)
Sen. Bob Keenan (R)
Sen. Mike Lang (R)
Sen. Mary McNally (D)
Sen. Albert Olszewski (R)
Sen. Ryan Osmundson (R)
Sen. Mike Phillips (D)
Sen. Jon C. Sesso (D)
Sen. Cary Smith (R)
Sen. Jeffrey W. Welborn (R)
Sen. Lea Whitford (D)
Sen. Cynthia Wolken (D)

Members Excused:

Sen. Mary Caferro (D)

Members Absent: None

Staff Present: Prudence Gildroy, Committee Secretary
Julie Johnson, Legislative Branch
Kris Wilkinson, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted:	HB 647, 4/3/2017; HB 650, 4/3/2017; HB 648, 4/3/2017; HB 642, 4/3/2017; HB 638, 4/3/2017; HB 639, 4/3/2017
Executive Action:	HB 647 Be Concurred In As Amended; HB 642 Be Concurred In As Amended

HEARING ON HB 647

Opening Statement by Sponsor:

00:01:23 Rep. Donald Jones (R), HD 46, opened the hearing on HB 647, Generally revise education funding, implement general appropriations bill.

Proponents' Testimony:

00:01:55 Dennis Parman, Montana Rural Education Association
00:02:21 Marco Ferro, MEA-MFT

Opponents' Testimony:

00:02:47 Bob Gilbert, City of Glendive

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:03:47 Rep. Jones

HEARING ON HB 650

Opening Statement by Sponsor:

00:04:36 Rep. Randy Brodehl (R), HD 9, opened the hearing on HB 650, Implement the provisions of the general appropriations bill Section D.
EXHIBIT(fcs71a01)

Proponents' Testimony:

00:07:32 Mike Milburn, chief of staff, Department of Justice (DOJ)
00:09:15 Mark Bretz, Bretz RV and Marine

Opponents' Testimony:

00:10:32 Sen. Carlie Boland, SD 12
00:13:27 Sen. Brian Hoven, SD 13
EXHIBIT(fcs71a02)

00:21:05 Dave Galt, Montana Sheriffs and Peace Officers Association
00:22:32 Rep. Bradley Hamlett, HD 23
00:23:39 Bruce Knudsen, Montana Automobile Dealers Association
00:24:42 Paul Cory, director, Great Falls Prerelease Center
00:27:24 Ronda Wiggers, Montana County Treasurers Association

00:32:05 Shantil Siaperas, Montana Association of Counties (MACo)
EXHIBIT(fcs71a03)

00:33:56 Alan Scanlon, director, Great Falls Prerelease Center
00:36:58 Chris Hickman, program manager of aftercare, Great Falls Prerelease Center (GFPC)
00:43:19 Jim Ahrens, Great Falls Prerelease Center
00:43:59 Shawn Hertel, Delta Squad 1999
00:45:52 Sen. Gauthier joined the meeting.

Informational Testimony:

00:47:08 Loraine Wodnik, interim director, Department of Corrections (COR)
00:49:28 Sen. Whitford
00:49:38 Ms. Wodnik, COR
00:52:05 Chair Jones

Proponents Testimony:

00:52:33 Ms. Wodnik

Informational Testimony:

00:56:58 Larry Flynn, Department of Transportation
00:57:22 Beth McLaughlin, court administrator, Supreme Court

Questions from Committee Members and Responses:

00:57:43 Sen. Moore
00:58:08 Ms. Siaperas, MACo
00:59:00 Sen. Moore
00:59:03 Ms. Siaperas
00:59:15 Sen. Moore
00:59:41 Rep. Brodehl
01:00:51 Sen. Wolken
01:01:46 Ms. Wodnik
01:03:40 Sen. Wolken
01:04:17 Ms. Wodnik
01:06:01 Sen. Keenan
01:06:19 Ms. Wodnik
01:07:36 Sen. Keenan
01:07:48 Mr. Hickman, GFPC
01:08:09 Sen. Keenan
01:08:17 Mr. Hickman
01:08:35 Sen. Keenan
01:09:19 Sen. Hoven
01:10:21 Sen. Keenan
01:10:29 Sen. Hoven
01:11:01 Sen. Whitford
01:11:30 Rep. Brodehl

01:11:48 Sen. Whitford
01:12:46 Rep. Brodehl
01:13:47 Sen. Whitford
01:14:11 Ms. Wodnik
01:14:38 Sen. Whitford
01:15:01 Ms. Wodnik
01:16:12 Sen. Whitford
01:17:09 Rep. Brodehl
01:19:39 Sen. Whitford
01:20:14 Rep. Brodehl
01:20:36 Mr. Milburn, DOJ
01:21:21 Sen. Whitford
01:21:36 Mr. Milburn
01:23:27 Sen. Whitford
01:23:59 Mr. Milburn
01:24:26 Sen. Whitford
01:24:27 Julie Johnson, Legislative Services Division (LSD)
01:24:40 Sen. Whitford
01:24:46 Mr. Milburn
01:25:27 Sen. Whitford
01:25:40 Sen. Howard
01:25:59 Mr. Hickman
01:28:09 Sen Howard
01:28:44 Mr. Hickman
01:28:54 Sen. Phillips
01:29:54 Rep. Brodehl
01:31:24 Sen. Phillips
01:31:45 Rep. Brodehl
01:32:11 Sen. Phillips
01:32:27 Sen. McNally
01:33:30 Ms. Wodnik
01:36:40 Sen. McNally
01:36:57 Ms. Wodnik
01:38:24 Sen. McNally
01:38:43 Sen. Whitford
01:39:43 Rep. Brodehl
01:43:19 Sen. Whitford
01:44:43 Rep. Brodehl
01:45:09 Chair Jones
01:45:32 Rep. Brodehl
01:46:44 Chair Jones
01:47:09 Rep. Brodehl

Closing by Sponsor:

01:47:54 Rep. Brodehl

HEARING ON HB 648

Opening Statement by Sponsor:

01:49:44 Rep. Carl Glimm (R), HD 6, opened the hearing on HB 648, Authorize transfers and clarify natural resources funding (Sec. C).

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:51:42 Sen. Moore
01:52:29 Rep. Glimm
01:52:37 Julie Johnson, Legislative Services Division
01:52:51 Sen. Sesso
01:53:51 Rep. Glimm
01:53:56 Sen. Sesso

Closing by Sponsor:

01:54:05 Rep. Glimm

HEARING ON HB 642

Opening Statement by Sponsor:

01:56:09 Rep. Brad Tschida (R), HD 97, opened the hearing on HB 642, Implement the provisions of the general appropriations bill Sec. A.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:56:59 Sen. Moore
01:57:18 Rep. Tschida
01:57:29 Chair Jones
01:57:37 Rep. Tschida
01:57:54 Sen. Keenan
01:58:09 Rep. Tschida
01:58:17 Kris Wilkinson, Legislative Fiscal Division

Closing by Sponsor:

01:58:33 Rep. Tschida

HEARING ON HB 638

Opening Statement by Sponsor:

01:59:06 Rep. Jon Knokey (R), HD 65, opened the hearing on HB 638, Fund direct care worker wage increases in developmental disability services.

Proponents' Testimony:

02:06:25 Rob Tallon, executive director, Reach Incorporated
02:08:47 Fran Sadowski, Missoula Developmental Services Corporation
02:10:44 Jean Morgan, West Mont
02:11:27 Katie Gallagher, Helena Industries
02:12:44 Eve Franklin, Montana Association of Community Disability Services
02:14:09 Lynn Morley, Quality Life Concepts
02:15:37 Kerry Dattilo, Quality Life Concepts, and representing Ken Brown, Opportunity Resources, Inc.

Opponents' Testimony:

02:18:34 Mary Dalton, Department of Public Health and Human Services (DPHHS)

Informational Testimony: None

Questions from Committee Members and Responses:

02:19:16 Sen. Olszewski
02:20:06 Ms. Dalton, DPHHS
02:20:32 Sen. Olszewski
02:21:09 Rep. Knokey

Closing by Sponsor:

02:22:34 Rep. Knokey

HEARING ON HB 639

Opening Statement by Sponsor:

02:27:18 Rep. Rob Cook (R), HD 18, opened the hearing on HB 639, Revising funding for health care services.

Proponents' Testimony: None

Opponents' Testimony: None

rnformational Testimony:

02:28:29 Jean Branscum, CEO, Montana Medical Association
02:29:38 Mike Foster, Montana Catholic Hospitals

Questions from Committee Members and Responses:

02:30:53 Sen. Olszewski
02:31:48 Rep. Cook
02:32:09 Sen. Olszewski
02:32:35 Rep. Cook
02:32:50 Sen. Sesso
02:33:20 Rep. Cook
02:33:39 Sen. Olszewski

Closing by Sponsor:

02:35:10 Rep. Cook

02:36:25 Recess
02:57:33 Reconvene

EXECUTIVE ACTION ON HB 647

02:57:40 **Motion:** Sen. Moore moved that **HB 647 BE CONCURRED IN**.

02:57:42 **Motion:** Sen. Moore moved that **HB 647 BE AMENDED**.
EXHIBIT(fcs71a04)

Discussion:

02:57:58 Chair Jones
EXHIBIT(fcs71a05)

02:59:09 Sen. Whitford
03:00:30 Chair Jones
03:01:33 Sen. Whitford
03:01:41 Chair Jones
03:01:52 Sen. Keenan
03:02:11 Chair Jones
03:03:07 Sen. Keenan
03:03:13 Chair Jones
03:03:21 Sen. Sesso
03:04:40 Chair Jones
03:05:55 Sen. Sesso
03:06:22 Chair Jones
03:06:43 Sen. Olszewski

03:07:17 **Vote:** Motion carried unanimously by voice vote of those present and voting.

03:07:25 **Motion**: Sen. Moore moved that **HB 647 BE CONCURRED IN AS AMENDED**.

Discussion:

03:07:44 Sen. Whitford
03:08:19 Chair Jones
03:08:23 Sen. Whitford
03:08:42 Chair Jones
03:10:34 Sen. Whitford
03:11:57 Chair Jones
03:12:01 Sen. Keenan
03:12:20 Chair Jones

03:12:27 **Vote**: Motion carried 17-1 by voice vote with Sen. Keenan voting no. Sen. Caferro voted by proxy. Sen. Jones will carry the bill.

EXECUTIVE ACTION ON HB 642

03:13:00 **Motion**: Sen. Moore moved that **HB 642 BE CONCURRED IN**.

03:13:10 **Motion**: Sen. Moore moved that **HB 642 BE AMENDED**.
EXHIBIT(fcs71a06)

Discussion:

03:13:22 Kris Wilkinson, Legislative Fiscal Division (LFD)

03:13:48 **Vote**: Motion carried unanimously by voice vote of those present and voting.

03:13:55 **Motion/Vote**: Sen. Moore moved that **HB 642 BE CONCURRED IN AS AMENDED**. Motion carried 17-1 by voice vote with Sen. Keenan voting no. Sen. Caferro voted by proxy. Sen. Moore will carry the bill.

Committee Business:

03:14:16 Chair Jones
03:15:21 Sen. Howard
03:15:43 Chair Jones
03:16:24 Julie Johnson, Legislative Services Division

ADJOURNMENT

Adjournment: 11:19 AM

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Prudence Gildroy, Secretary

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Additional Documents

Additional Documents:

EXHIBIT(fcs71aad.pdf)

MINUTES

MONTANA SENATE
65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chair Llew Jones, on April 11, 2017 at 9:00 A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Llew Jones, Chair (R)
Sen. Frederick (Eric) Moore, Vice Chair (R)
Sen. Duane Ankney (R)
Sen. Mary Caferro (D)
Sen. Terry Gauthier (R)
Sen. David Howard (R)
Sen. Douglas (Doug) Kary (R)
Sen. Bob Keenan (R)
Sen. Mike Lang (R)
Sen. Mary McNally (D)
Sen. Albert Olszewski (R)
Sen. Ryan Osmundson (R)
Sen. Mike Phillips (D)
Sen. Jon C. Sesso (D)
Sen. Cary Smith (R)
Sen. Jeffrey W. Welborn (R)
Sen. Lea Whitford (D)
Sen. Cynthia Wolken (D)

Members Excused: None

Members Absent: None

Staff Present: Prudence Gildroy, Committee Secretary
Julie Johnson, Legislative Branch
Kris Wilkinson, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 558, 4/7/2017

Executive Action: HB 618 Be Concurred In As Amended; HB 639 Be Concurred In As Amended; HB 648 Be Concurred In As Amended; HB 565 Be Concurred In As Amended; HB 473 Be Concurred In As Amended

HEARING ON HB 558

Opening Statement by Sponsor:

00:03:07 Rep. Greg Hertz (R), HD 12, opened the hearing on HB 558, Revise tax rates to mitigate reappraisal.

Proponents' Testimony:

00:07:44 Nicole Rolf, Montana Farm Bureau Federation
00:09:47 Jay Bodner, Montana Stockgrowers Association, Montana CattleWomen
00:11:08 Mike Murphy, Montana Water Resources Association

Opponents' Testimony:

00:12:14 Mike Kadas, director, Department of Revenue

Informational Testimony: None

Questions from Committee Members and Responses:

00:21:16 Sen. Howard
00:21:38 Rep. Hertz
00:23:00 Sen. Howard
00:23:29 Rep. Hertz
00:24:31 Chair Jones
00:25:18 Rep. Hertz
00:27:31 Chair Jones
00:27:40 Rep. Hertz

Closing by Sponsor:

00:28:00 Rep. Hertz

00:30:19 Recess
00:53:41 Reconvene

EXECUTIVE ACTION ON HB 618

00:53:44 **Motion:** Sen. Moore moved that **HB 618 BE CONCURRED IN**.

00:53:53 **Motion:** Sen. Keenan moved that **HB 618 BE AMENDED**.
EXHIBIT(fcs76a01)

Discussion:

00:54:09 Sen. Keenan

00:53:59 **Vote:** Motion carried 16-2 by voice vote with Sen. Caferro and Sen. C. Smith voting no.

00:55:00 **Motion:** Sen. Caferro moved that **HB 618 BE AMENDED**.
EXHIBIT(fcs76a02)

Sen. Ankney, Sen. Olszewski and Sen. Wolken left the meeting.

Discussion:

00:56:17 Sen. Caferro
00:58:39 Sen. Howard
00:58:41 Sen. Caferro
00:59:29 Sen. Howard
00:59:55 Sen. Caferro
01:00:11 Sen. Lang
01:01:11 Sen. Sesso
01:02:43 Sen. Caferro

01:03:15 **Vote:** Motion carried 10-6 by roll call vote with Sen. Howard, Sen. Kary, Sen. Lang, Sen. Moore, Sen. Osmundson and Sen. C. Smith voting no. Sen. Ankney and Sen. Olszewski were excused. Sen. Wolken voted by proxy.

01:04:34 **Motion/Vote:** Sen. Moore moved that **HB 618 BE CONCURRED IN AS AMENDED**. Motion carried 14-2 by voice vote with Sen. Howard and Sen. C. Smith voting no. Sen. Ankney and Sen. Olszewski were excused. Sen. Wolken voted by proxy. Sen. Keenan will carry the bill.

01:07:00 Recess

Sen. Osmundson and Sen. Welborn left the meeting.

07:37:37 Reconvene

Sen. Ankney, Olszewski and Sen. Wolken joined the meeting.

EXECUTIVE ACTION ON HB 639

07:38:02 **Motion:** Sen. Moore moved that **HB 639 BE CONCURRED IN**.

07:38:21 **Motion:** Sen. Keenan moved that **HB 639 BE AMENDED**.
EXHIBIT(fcs76a03)

Discussion:

07:39:28 Sen. Keenan

07:40:49 **Vote:** Motion carried unanimously by voice vote. Sen. Osmundson and Sen. Welborn voted by proxy.

07:41:07 **Motion:** Sen. Keenan moved that **HB 639 BE AMENDED**.
EXHIBIT(fcs76a04)

Discussion:

07:41:10 Sen. Keenan

07:42:39 **Vote:** Motion carried unanimously by voice vote. Sen. Osmundson and Sen. Welborn voted by proxy.

Sen. Phillips left the meeting.

07:43:12 **Motion:** Sen. Olszewski moved that **HB 639 BE AMENDED**.
EXHIBIT(fcs76a05)

Discussion:

07:43:14 Sen. Olszewski
07:46:38 Sen. Caferro
07:46:43 Sen. Olszewski

07:47:15 **Vote:** Motion carried unanimously by voice vote. Sen. Osmundson and Sen. Welborn voted by proxy. Sen. Phillips was excused.

07:47:41 **Motion/Vote:** Sen. Moore moved that **HB 639 BE CONCURRED IN AS AMENDED**. Motion carried 17-0 by voice vote. Sen. Osmundson and Sen. Welborn voted by proxy. Sen. Phillips was excused. Sen. Keenan will carry the bill.

EXECUTIVE ACTION ON HB 648

07:48:12 **Motion:** Sen. Moore moved that **HB 648 BE CONCURRED IN**.

07:48:29 **Motion:** Sen. Moore moved that **HB 648 BE AMENDED**.
EXHIBIT(fcs76a06)

Discussion:

07:49:10 Kris Wilkinson, Legislative Fiscal Division (LFD)

07:51:24 **Vote:** Motion carried unanimously by voice vote. Sen. Osmundson and Sen. Welborn voted by proxy. Sen. Phillips was excused.

07:51:41 **Motion:** Sen. Moore moved that **HB 648 BE CONCURRED IN AS AMENDED**.

Discussion:

07:51:52 Sen. Keenan
07:52:08 Ms. Wilkinson, LFD

07:52:24 **Vote:** Motion carried 17-0 by voice vote. Sen. Osmundson and Sen. Welborn voted by proxy. Sen. Phillips was excused. Sen. Ankney will carry the bill.

EXECUTIVE ACTION ON HB 565

07:53:08 **Motion:** Sen. Moore moved that **HB 565 BE CONCURRED IN**.

07:53:19 **Motion:** Sen. Moore moved that **HB 565 BE AMENDED**.
EXHIBIT(fcs76a07)

Discussion:

07:53:45 Ms. Wilkinson
07:54:57 Sen. Moore
EXHIBIT(fcs76a08)

07:55:50 Sen. Smith left the meeting.
07:55:53 Sen. Whitford
07:56:27 Chair Jones
07:59:18 Sen. Sesso
07:59:40 Sen. Moore
08:00:13 Chair Jones

08:00:35 **Vote:** Motion carried unanimously by voice vote. Sen. Osmundson, Sen. C. Smith and Sen. Welborn voted by proxy. Sen. Phillips was excused.

Discussion:

08:01:14 Sen. Sesso
08:02:57 Chair Jones

08:03:03 **Motion:** Sen. Moore moved that **HB 565 BE AMENDED**.
EXHIBIT(fcs76a09)

Discussion:

08:03:15 Sen. Sesso

08:04:02 **Vote:** Motion carried 16-1 by voice vote with Sen. Whitford voting no. Sen. Osmundson, Sen. C. Smith and Sen. Welborn voted by proxy. Sen. Phillips was excused.

08:04:17 **Motion/Vote:** Sen. Moore moved that **HB 565 BE CONCURRED IN AS AMENDED**. Motion carried 16-1 by voice vote with Sen. Whitford voting no. Sen. Osmundson, Sen. C. Smith and Sen. Welborn voted by proxy. Sen. Phillips was excused. Sen. Moore will carry the bill.

EXECUTIVE ACTION ON HB 473

08:06:04 **Motion:** Sen. Moore moved that **HB 473 BE CONCURRED IN**.

08:06:39 **Motion:** Sen. Moore moved that **HB 473 BE AMENDED**.
EXHIBIT(fcs76a10)
EXHIBIT(fcs76a11)

Sen. Smith joined the meeting.

Discussion:

08:06:42 Sen. Moore
08:09:17 Sen. Howard
08:09:47 Sen. Sesso
08:10:25 Chair Jones
08:10:55 Sen. Moore

08:12:06 **Vote:** Motion failed 8-10 by roll call vote with Sen. Howard, Sen. Kary, Sen. Keenan, Sen. Lang, Sen. Moore, Sen. Olszewski, Sen. Osmundson and Sen. C. Smith voting aye. Sen. Osmundson, Sen. Phillips and Sen. Welborn voted by proxy.

08:13:28 **Motion:** Sen. Ankney moved that **HB 473 BE AMENDED**.
EXHIBIT(fcs76a12)
EXHIBIT(fcs76a13)

Sen. Smith left the meeting.

Discussion:

08:13:30 Sen. Ankney
08:18:12 Sen. Moore
08:19:45 Sen. Howard
08:22:42 Sen. Sesso
08:27:53 Sen. Gauthier

08:29:02 **Vote:** Motion carried 11-7 by roll call vote with Sen. Howard, Sen. Kary, Sen. Keenan, Sen. Moore, Sen. Olszewski, Sen. Osmundson and Sen. C. Smith voting no. Sen. Osmundson, Sen. Phillips, Sen. C. Smith and Sen. Welborn voted by proxy.

08:30:35 **Motion:** Sen. Howard moved that **HB 473 BE AMENDED**.
EXHIBIT(fcs76a14)

Discussion:

08:30:37 Sen. Howard
08:31:25 Sen. Sesso
08:32:12 Sen. Howard

08:32:33 Ms. Wilkinson
08:32:54 Sen. Sesso
08:33:40 Sen. Howard
08:33:47 Chair Jones
08:33:57 Ms. Wilkinson
08:34:30 Sen. Howard withdrew his motion.

08:34:35 **Motion:** Sen. Howard moved that **HB 473 BE AMENDED CONCEPTUALLY** to require the department to implement the act within the current FTE that they have.

Discussion:

08:34:45 Ms. Wilkinson
08:35:00 Chair Jones
08:35:07 Sen. Keenan

08:35:43 **Vote:** Motion carried unanimously by voice vote. Sen. Osmundson, Sen. C. Smith and Sen. Welborn voted by proxy. Sen. Phillips was excused.

08:35:59 **Motion:** Sen. Howard moved that **HB 473 BE AMENDED**.
EXHIBIT(fcs76a15)

Discussion:

08:36:02 Sen. Howard
08:37:13 Sen. Sesso
08:38:06 Sen. Moore
08:38:35 Sen. Gauthier
08:38:59 Chair Jones
08:39:24 Sen. Howard

08:40:22 **Vote:** Motion failed 7-11 by roll call vote with Sen. Howard, Sen. Kary, Sen. Keenan, Sen. Moore, Sen. Olszewski, Sen. Osmundson and Sen. C. Smith voting aye. Sen. Osmundson, Sen. Phillips, Sen. C. Smith and Sen. Welborn voted by proxy.

08:41:38 **Motion:** Sen. Ankney moved that **HB 473 BE CONCURRED IN AS AMENDED**.

Discussion:

08:41:40 Sen. Ankney
08:42:40 Sen. Phillips and Sen. Welborn joined the meeting.
08:43:19 Sen. Sesso
08:45:56 Chair Jones

08:48:26 **Vote:** Motion carried 11-7 by roll call vote with Sen. Howard, Sen. Kary, Sen. Keenan, Sen. Moore, Sen. Olszewski, Sen. Osmundson and Sen. C. Smith voting no. Sen. Osmundson and Sen. C. Smith voted by proxy. Sen. Ankney will carry the bill.

Committee Business:

08:49:49 Chair Jones
08:49:53 Sen. Moore
08:50:14 Chair Jones
08:50:27 Sen. Whitford

..

ADJOURNMENT

Adjournment: 5:55 PM

Prudence Gildroy, Secretary

pg

Additional Documents:

EXHIBIT(fcs76aad.pdf)

SENATE FINANCE & CLAIMS
Exhibit No. 3
Date 4-11-17
Bill No. HB639

Amendments to House Bill No. 639
3rd Reading Copy

For the Senate Finance and Claims Committee

Prepared by Julie Johnson
April 11, 2017 (4:05pm)

1. Title, page 1, line 4.
Following: "SERVICES;"
Insert: "PROVIDING MEDICAID CASELOAD RESTRICTIONS; PROVIDING LIMITATIONS ON TRANSFERS OF FUNDING FOR THE MONTANA DEVELOPMENTAL CENTER;"

2. Page 1, line 10.
Insert: "NEW SECTION. **Section 1. Medicaid caseload contingent funding -- restrictions.** (1) The appropriations to the department of public health and human services in House Bill No. 2, under "Medicaid Caseload Contingency" only occur:

(a) for fiscal year 2018, if nonrestricted general fund expenditures for the department, including accruals, exceed $501,016,552 during the fiscal year; and

(b) for fiscal year 2019, if nonrestricted general fund expenditures for the department, including accruals, exceed $514,663,100 during the fiscal year.

(2) The House Bill No. 2 appropriation amounts provided for in subsections (1)(a) and (1)(b) are based on the amount of nonrestricted general fund appropriations for fiscal years 2018 and 2019. The amounts of $501,016,552 for fiscal year 2018 and $514,663,100 for fiscal year 2019 are superseded by the total of nonrestricted general fund appropriations for each separate fiscal year, as reflected in House Bill No. 2 as passed and approved."

Insert: "NEW SECTION. **Section 2. Montana developmental center -- requirements.** The appropriation to the department of public health and human services in House Bill No. 2, under "Montana Developmental Center" is restricted to the following:

(a) expenditures at the Montana developmental center; or

(b) transfers pursuant to subsection (2).

(2) The department may transfer from "Montana Developmental Center" for other necessary services for individuals served or who would have otherwise been served at the Montana Developmental Center.

(3) If the department transfers funding or full-time equivalents from the appropriation under "Montana Developmental Center", the department must notify the legislative finance committee and the legislative fiscal analyst.

(4) Any information that is confidential or personally identifiable provided pursuant to this section may only be

communicated to the legislative fiscal analyst, who will not release the information pursuant to 5-12-303."

- END -

SENATE FINANCE & CLAIMS
Exhibit No. 4
Date 4-11-17
Bill No. HB639

Amendments to House Bill No. 639
3rd Reading Copy

For the Senate Finance and Claims Committee

Prepared by Julie Johnson
April 11, 2017 (4:02pm)

1. Title, page 1, line 6.
Following: "ACT;"
Insert: "PROVIDING FOR A STATUTORY APPROPRIATION;"

2. Title, page 1, line 6.
Strike: "SECTION"
Insert: "SECTIONS 17-7-502 AND"

3. Page 1, line 10. **Insert:** "NEW SECTION. **Section 1. Indian health services federal revenue account.** (1) There is an account in the federal special revenue fund established pursuant to 17-2-102 to be known as the Indian health service federal revenue account.

(2) Funds in the account are statutorily appropriated, as provided in 17-7-502, to the department of public health and human services for medicaid benefits for Indian health services or tribal health services."

Insert: "Section 2. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-433; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-215; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107;

20-9-517; 20-9-520; 20-9-534; 20-9-622; 20-9-905; 20-26-617; 20-26-1503; 22-1-327; 22-3-116; 22-3-117; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-50-209; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-213; 44-13-102; 50-1-115; 53-1-109; [section 1]; 53-6-1304; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; [85-25-102]; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to sec. 5, Ch. 244, L. 2013, the inclusion of 22-1-327 terminates July 1, 2017; pursuant to sec. 27, Ch. 285, L. 2015, and sec. 1, Ch. 292, L. 2015, the inclusion of 53-9-113 terminates June 30, 2021; pursuant to sec. 6, Ch. 291, L. 2015, the inclusion of 50-1-115 terminates June 30, 2021; pursuant to sec. 28, Ch. 368, L. 2015, the inclusion of 53-6-1304 terminates June 30, 2019; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of 85-25-102 is effective on occurrence of contingency; pursuant to sec. 5, Ch. 422, L. 2015, the inclusion of 17-7-215 terminates June 30, 2021; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116 and 22-3-117 terminates June 30, 2025; pursuant to sec. 10, Ch. 427, L. 2015, the inclusion of 37-50-209 terminates September 30, 2019; and pursuant to sec. 33, Ch. 457, L. 2015, the inclusion of 20-9-905

terminates December 31, 2023.)"
{*Internal References to 17-7-502:*
2-17-105 *5-11-120* *5-11-407* *5-13-403*
7-4-2502 *10-1-108* *10-1-1202* *10-1-1303*
10-2-603 *10-3-203* *10-3-310* *10-3-312*
10-3-312 *10-3-314* *10-4-301* *15-1-121*
15-1-218 *15-35-108* *15-35-108* *15-35-108*
15-35-108 *15-36-332* *15-36-332* *15-37-117*
15-37-117 *15-39-110* *15-65-121* *15-70-101*
15-70-433 *15-70-601* *16-11-509* *17-1-508*
17-3-106 *17-3-112* *17-3-212* *17-3-222*
17-3-241 *17-6-101* *17-7-215* *17-7-501*
18-11-112 *19-3-319* *19-6-404* *19-6-410*
19-9-702 *19-13-604* *19-17-301* *19-18-512*
19-19-305 *19-19-506* *19-20-604* *19-20-607*
19-21-203 *20-8-107* *20-9-517* *20-9-520*
20-9-534 *20-9-622* *20-9-905* *20-26-617*
20-26-1503 *22-1-327* *22-3-116* *22-3-117*
22-3-1004 *23-4-105* *23-4-105* *23-5-306*
23-5-409 *23-5-612* *23-7-301* *23-7-402*
23-7-402 *23-7-402* *30-10-1004* *37-43-204*
37-50-209 *37-51-501* *39-71-503* *41-5-2011*
42-2-105 *44-4-1101* *44-12-213* *44-13-102*
50-1-115 *53-1-109* *53-6-1304* *53-6-1304*
53-9-113 *53-24-108* *53-24-108* *53-24-206*
60-11-115 *61-3-415* *69-3-870* *75-1-1101*
75-5-1108 *75-6-214* *75-11-313* *76-13-150*
76-13-416 *77-1-108* *77-2-362* *80-2-222*
80-4-416 *80-11-518* *81-1-112* *81-7-106*
81-10-103 *82-11-161* *82-11-161* *85-20-1504*
85-20-1505 *85-25-102* *87-1-603* *90-1-115*
90-1-115 *90-1-205* *90-1-504* *90-3-1003*
90-6-331 *90-9-306*}"
Renumber: subsequent sections

4. Page 1, line 22.
Insert: "NEW SECTION. **Section 4. {standard} Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 53, chapter 6, and the provisions of Title 53, chapter 6, apply to [section 1]."
Insert: "COORDINATION SECTION. **Section 5. Coordination instruction.** If House Bill No. 2 and [this act] are both passed and approved and [this act] contains a statutory appropriation for Indian health services and tribal health services funding, the appropriation for the health resources division in House Bill No. 2 is decreased by $82,373,231 in federal funds in fiscal year 2018 and by $94,556,232 in federal funds in fiscal year 2019."
Renumber: subsequent sections

- END -

MINUTES

MONTANA SENATE
65th LEGISLATURE - REGULAR SESSION

FREE CONFERENCE COMMITTEE ON HOUSE BILL 639

Call to Order: SEN. Llew Jones, on April 24, 2017 at 12:30 P.M., in Room 350 Capitol

ROLL CALL

Members Present:

Sen. Llew Jones, Chair (R)
Sen. Frederick (Eric) Moore (R)
Sen. Jon C. Sesso (D)
Rep. Nancy Ballance, Chair (R)
Rep. Rob Cook (R)
Rep. Marilyn Ryan (D)

Members Excused: None

Members Absent: None

Staff Present: Kris Wilkinson, Legislative Fiscal Division
Prudence Gildroy, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Executive Action: No Action Taken and Committee Recessed

00:00:17	Chair Jones
00:01:49	Recess
02:32:18	Reconvene
02:32:19	Chair Jones
02:33:20	Recess

ADJOURNMENT

Recess: 3:01 PM

Prudence Gildroy, Secretary

pg

Additional Documents:

EXHIBIT(frs84hb0639aad.pdf)

MINUTES

MONTANA SENATE
65th LEGISLATURE - REGULAR SESSION

FREE CONFERENCE COMMITTEE ON HOUSE BILL 639

Call to Order: Chair Llew Jones, on April 25, 2017 at 9:30 A.M., in Room 350 Capitol

ROLL CALL

Members Present:
Sen. Llew Jones, Chair (R)
Rep. Nancy Ballance, Chair (R)
Rep. Rob Cook (R)
Sen. Frederick (Eric) Moore (R)
Rep. Marilyn Ryan (D)

Members Excused:
Sen. Jon C. Sesso (D)

Members Absent: None

Staff Present:
Kris Wilkinson, Legislative Fiscal Division
Prudence Gildroy, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Executive Action: HB 639 Be Amended

00:00:00 Reconvene

EXECUTIVE ACTION ON HB 639

00:00:36 **Motion:** Rep. Ballance moved that **HB 639 BE AMENDED**.
EXHIBIT(frs85hb0639a01)

Discussion:

00:01:06 Kris Wilkinson, Legislative Fiscal Division (LFD)

00:02:10 **Vote:** Motion carried 2-0 by voice vote in the Senate. Sen. Sesso was excused. Motion carried unanimously by voice vote in the House.

00:02:22 **Motion:** Rep. Ballance moved that **HB 639 BE AMENDED**.
EXHIBIT(frs85hb0639a02)

Discussion:

00:02:39 Ms. Wilkinson, LFD
00:03:05 Rep. Ballance

00:03:43 **Vote:** Motion carried 2-0 by voice vote in the Senate. Sen. Sesso was excused. Motion carried unanimously by voice vote in the House.

00:03:58 **Motion:** Rep. Ballance moved that **HB 639 BE AMENDED**.
EXHIBIT(frs85hb0639a03)

Discussion:

00:04:16 Ms. Wilkinson
00:04:51 Rep. Ballance

00:05:47 **Vote:** Motion carried 2-0 by voice vote in the Senate. Sen. Sesso was excused. Motion carried unanimously by voice vote in the House.

ADJOURNMENT

Adjournment: 9:39 AM

Prudence Gildroy, Secretary

pg

Additional Documents:

EXHIBIT(frs85hb0639aad.pdf)

SENATE FCC HB 639
Exhibit No. 1
Date 4-25-17
Bill No. HB639

Amendments to House Bill No. 639
Reference Copy

For the Senate Free Conference Committee

Prepared by Julie Johnson
April 25, 2017 (8:29am)

1. Title, page 1, line 8.
Following: "CENTER;"
Insert: "ESTABLISHING A TEMPORARY COMMUNITY BENEFIT ASSESSMENT FOR CERTAIN HOSPITALS;"

2. Title, page 1, line 9.
Following: "PROVIDING"
Strike: "AN"
Strike: "DATE"
Insert: "DATES AND A TERMINATION DATE"

3. Page ~~1~~ 3.
Following: line 16
Insert: "NEW SECTION. **Section 4. Hospital community benefit assessment.** (1) A hospital shall pay to the department of public health and human services a hospital community benefit assessment no later than June 29 of fiscal years 2017, 2018, and 2019. All proceeds from the assessment must be deposited into the general fund.

(2) For purposes of this, section a "hospital" means a facility licensed as a hospital pursuant to Title 50, chapter 5, and does not include a critical access hospital, a children's psychiatric hospital, or the Montana state hospital.

(3) The following amounts are imposed as the annual community benefit assessment:

(a) for Advanced Care Hospital in Billings, $122,000;
(b) for Benefis Health System in Great Falls, $696,600;
(c) for Billings Clinic, $835,300;
(d) for Bozeman Health Big Sky Medical Center, $2,900;
(e) for Bozeman Health, $242,000;
(f) for Community Medical Center in Missoula, $278,000;
(g) for Great Falls Clinic Medical Center, $16,790;
(h) for Health Center Northwest, $19,100;
(i) for Kalispell Regional Medical Center, $420,180;
(j) for Northern Montana Hospital in Havre, $51,400;
(k) for St. James Healthcare in Butte, $139,900;
(l) for Providence St. Patrick Hospital in Missoula, $534,200;
(m) for St. Peter's Hospital in Helena, $345,225; and
(n) for St. Vincent Healthcare in Billings, $647,180."

Renumber: subsequent sections

4. Page 4, line 29.
Strike: section 8 in its entirety
Insert: "NEW SECTION. **Section 9. {standard} Effective dates.** (1) Except as provided in subsection (2), [this act] is effective July 1, 2017.

(2) [Section 4] and this section are effective on passage and approval."
Insert: "NEW SECTION. **Section 10. {standard} Termination.** [Section 4] terminates June 30, 2019."

- END -

SENATE FCC HB639
Exhibit No. 2
Date 4-25-17
Bill No. HB 639

Amendments to House Bill No. 639
Reference Copy

For the House Free Conference Committee

Prepared by Julie Johnson
April 24, 2017 (11:01am)

1. Page 4.
Following: line 28
Insert: "COORDINATION SECTION. **Section 8. Coordination instruction.** If both [this act] and House Bill No. 2 are passed and approved, then the appropriation to the department of public health and human services under "Human and Community Services Division" in Section B of House Bill No. 2 must be increased from $33,087,934 to $36,087,934 in the fiscal year beginning July 1, 2017, and increased from $33,049,762 to $36,049,762 in the fiscal year beginning July 1, 2018."

"COORDINATION SECTION. **Section 9. Coordination instruction.** If both [this act] and House Bill No. 2 are passed and approved, then the following language must be inserted in Section B of House Bill No. 2 under "Human and Community Services Division":

The increased appropriations provided in [section 8 of House Bill No. 639] to the Stars to Quality Program are one time only and are not to be included in the base in the 2021 budget planning process. The increased appropriations are to expand the program and increase access to preschool for 4- and 5-year-old children. The department shall use the money to create and support pilot programs to test multiple delivery models, including public programs, private programs, and mixed delivery programs through public-private partnerships. The department may use funds to support preschool programs, including startup and training costs. In establishing the pilot programs, the department shall ensure that pilot programs are included in programs in rural and urban areas. The department shall file a report with the 2019 legislature and present the report to the education and local government committee, the legislative finance committee, and the children, families, health, and human services committee by September 1, 2018. The report must:

(1) address the demand for programs and the impact on current providers, with a specific focus on rural communities;

(2) evaluate the benefits and disadvantages of various delivery models;

(3) analyze advancements in kindergarten readiness for children participating in the programs; and

(4) make recommendations for the program.

Insert: "NEW SECTION. **Section 10. {standard} Severability.** If a part of [this act] is invalid, all valid parts that are

severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent sections

- END -

SENATE FCC HB 639
Exhibit No. 3
Date 4-25-17
Bill No. HB639

Amendments to House Bill No. 639
Reference Copy

For the House Free Conference Committee

Prepared by Julie Johnson
April 25, 2017 (8:31am)

1. Page 4.
Following: line 28
Insert: "COORDINATION SECTION. **Section 8. Coordination instruction.** If both [this act] and House Bill No. 2 are passed and approved, then the following line item is inserted in Section B of House Bill No. 2 under "Director's Office":

"b. Tracking Operational and Performance Program Measures (OTO/Biennial) $100,000 [General Fund FY 2018] $100,000 [Federal Special Revenue FY 2018] $100,000 [General Fund FY 2019] $100,000 [Federal Special Revenue FY 2019]."

"COORDINATION SECTION. **Section 9. Coordination instruction.** If both [this act] and House Bill No. 2 are passed and approved, then the following language must be inserted in Section B of House Bill No. 2 under "Department of Public Health and Human Services":

"Tracking Operational and Performance Program Measures must be utilized for the analysis and creation of a metrics-based blueprint for select department of public health and human service programs, with a primary focus on the child and family services division and a specified initiative identified as having a high impact on the health of Montanans, and for the department to track operational and program performance measures related to the following:

(1) improved health of women and children, including:

(a) proportion of women smoking during pregnancy;

(b) proportion of pregnant women who report entering prenatal care in the first trimester;

(c) proportion of pregnant women receiving medicaid services who report entering prenatal care in the first trimester;

(d) proportion of high school students using tobacco products or nicotine products in the past 30 days;

(2) improved health of medicaid members, including the proportion of medicaid members receiving preventative services;

(3) operational efficiencies, including:

(a) proportion of payments issued electronically; and

(b) proportion of help desk tickets to technologically support the workforce; and

(4) the efficacy of the protect Montana kids commission proposals that were enacted by the 65th legislature."

Renumber: subsequent sections

- END -

Montana State Legislature

65th Montana Legislature - 2017

ADDITIONAL DOCUMENTS

Business Report

Signed by Chairman

Roll Call

Attendance

Standing Committee Reports

Tabled Bills

Fiscal Reports

Roll Call Votes

Proxy Forms

Visitor Registration

Additional Documents

Witness Statements that are not presented as exhibits. All informational items handed in after meeting. Petitions; etcetera.

- **Any documents which were submitted after the committee hearing has ended and/or was submitted late within 24 hours regarding information in the committee hearing.**

YOU MAY VIEW THE ORIGINAL DOCUMENTS

AT THE MONTANA HISTORICAL SOCIETY

MONTANA HISTORICAL SOCIETY ARCHIVES
225 N. ROBERTS
HELENA, MT 59620-1201
2017 LEGISLATIVE SESSION
E-DOCUMENT SPECIALIST: SUSIE HAMILTON

BUSINESS REPORT

MONTANA SENATE
65th LEGISLATURE - REGULAR SESSION

SENATE FREE CONFERENCE COMMITTEE

Date: Tuesday, April 25, 2017 **Time:** 9:30 A.M.
Place: Capitol **Room:** 350

BILLS and RESOLUTIONS HEARD:

EXECUTIVE ACTION TAKEN:

HB 639 - BE AMENDED

Comments:

SEN. Llew Jones, Chair

FREE CONFERENCE COMMITTEE
on House Bill 639
Report No. 001, April 25, 2017

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **House Bill 639** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

For the Senate:

Sen. Llew Jones, Chair

Sen. Frederick (Eric) Moore

Sen. Jon Sesso

Amendment Coordinator

For the House:

Rep. Nancy Ballance Vice Chair

Rep. Rob Cook

Rep. Marilyn Ryan

And, recommend that **House Bill 639** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 8.
Following: "CENTER;"
Insert: "ESTABLISHING A TEMPORARY COMMUNITY BENEFIT ASSESSMENT FOR CERTAIN HOSPITALS;"

2. Title, page 1, line 9.
Following: "PROVIDING"
Strike: "AN"
Strike: "DATE"
Insert: "DATES AND A TERMINATION DATE"

ADOPT
REJECT

Amendment # HB 639001

3. Page 2.
Following: line 16
Insert: "NEW SECTION. **Section 4. Hospital community benefit assessment.** (1) A hospital shall pay to the department of public health and human services a hospital community benefit assessment no later than June 29 of fiscal years 2017, 2018, and 2019. All proceeds from the assessment must be deposited into the general fund.

(2) For purposes of this section, "hospital" means a facility licensed as a hospital pursuant to Title 50, chapter 5, and does not include a critical access hospital, a children's psychiatric hospital, or the Montana state hospital.

(3) The following amounts are imposed as the annual community benefit assessment:

(a) for Advanced Care Hospital in Billings, $122,000;
(b) for Benefis Health System in Great Falls, $696,600;
(c) for Billings Clinic, $835,300;
(d) for Bozeman Health Big Sky Medical Center, $2,900;
(e) for Bozeman Health, $242,000;
(f) for Community Medical Center in Missoula, $278,000;
(g) for Great Falls Clinic Medical Center, $16,790;
(h) for Health Center Northwest, $19,100;
(i) for Kalispell Regional Medical Center, $420,180;
(j) for Northern Montana Hospital in Havre, $51,400;
(k) for St. James Healthcare in Butte, $139,900;
(l) for Providence St. Patrick Hospital in Missoula, $534,200;
(m) for St. Peter's Hospital in Helena, $345,225; and
(n) for St. Vincent Healthcare in Billings, $647,180."
Renumber: subsequent sections

4. Page 4.
Following: line 27
Insert: "COORDINATION SECTION. **Section 9. Coordination instruction.** If both [this act] and House Bill No. 2 are passed and approved, then the following line item is inserted in Section B of House Bill No. 2 under "Director's Office":

"b. Tracking Operational and Performance Program Measures (OTO/Biennial) $100,000 [General Fund FY 2018] $100,000 [Federal Special Revenue FY 2018] $100,000 [General Fund FY 2019] $100,000 [Federal Special Revenue FY 2019]""
Insert: "COORDINATION SECTION. **Section 10. Coordination instruction.** If both [this act] and House Bill No. 2 are passed and approved, then the following language must be inserted in Section B of House Bill No. 2 under "Department of Public Health and Human Services":

"Tracking Operational and Performance Program Measures must be utilized for the analysis and creation of a metrics-based blueprint for select department of public health and human

service programs, with a primary focus on the child and family services division and a specified initiative identified as having a high impact on the health of Montanans, and for the department to track operational and program performance measures related to the following:

(1) improved health of women and children, including:

(a) proportion of women smoking during pregnancy;

(b) proportion of pregnant women who report entering prenatal care in the first trimester;

(c) proportion of pregnant women receiving medicaid services who report entering prenatal care in the first trimester;

(d) proportion of high school students using tobacco products or nicotine products in the past 30 days;

(2) improved health of medicaid members, including the proportion of medicaid members receiving preventative services;

(3) operational efficiencies, including:

(a) proportion of payments issued electronically; and

(b) proportion of help desk tickets to technologically support the workforce; and

(4) the efficacy of the protect Montana kids commission proposals that were enacted by the 65th legislature.""

Insert: "COORDINATION SECTION. **Section 11. Coordination instruction.** If both [this act] and House Bill No. 2 are passed and approved, then the general fund appropriation to the department of public health and human services under "Human and Community Services Division" in Section B of House Bill No. 2 must be increased from $33,087,934 to $36,087,934 in the fiscal year beginning July 1, 2017, and increased from $33,049,762 to $36,049,762 in the fiscal year beginning July 1, 2018."

Insert: "COORDINATION SECTION. **Section 12. Coordination instruction.** If both [this act] and House Bill No. 2 are passed and approved, then the following language must be inserted in Section B of House Bill No. 2 under "Human and Community Services Division":

The increased appropriations provided in [section 11 of House Bill No. 639] to the Stars to Quality Program are one time only and are not to be included in the base in the 2021 budget planning process. The increased appropriations are to expand the program and increase access to preschool for 4- and 5-year-old children. The department shall use the money to create and support pilot programs to test multiple delivery models, including public programs, private programs, and mixed delivery programs through public-private partnerships. The department may use funds to support preschool programs, including startup and training costs. In establishing the pilot programs, the department shall ensure that pilot programs are included in programs in rural and urban areas. The department shall file a report with the 2019 legislature and present the report to the education and local government committee, the legislative finance committee, and the children, families, health, and human services committee by September 1, 2018. The report must:

(1) address the demand for programs and the impact on

current providers, with a specific focus on rural communities;

(2) evaluate the benefits and disadvantages of various delivery models;

(3) analyze advancements in kindergarten readiness for children participating in the programs; and

(4) make recommendations for the program."

Insert: "NEW SECTION. **Section 13. Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent sections

5. Page 4, line 29.

Strike: section 8 in its entirety

Insert: "NEW SECTION. **Section 14. Effective dates.** (1) Except as provided in subsection (2), [this act] is effective July 1, 2017.

(2) [Section 4] and this section are effective on passage and approval."

Insert: "NEW SECTION. **Section 15. Termination.** [Section 4] terminates June 30, 2019."

- END -

MONTANA STATE SENATE
Visitors Register
SENATE FREE CONFERENCE COMMITTEE

Tuesday, April 25, 2017
HB 639 - Revising funding for health care services
Sponsor: **Rep. Rob Cook**

PLEASE PRINT

Name	Representing	Support	Oppose	Info

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.